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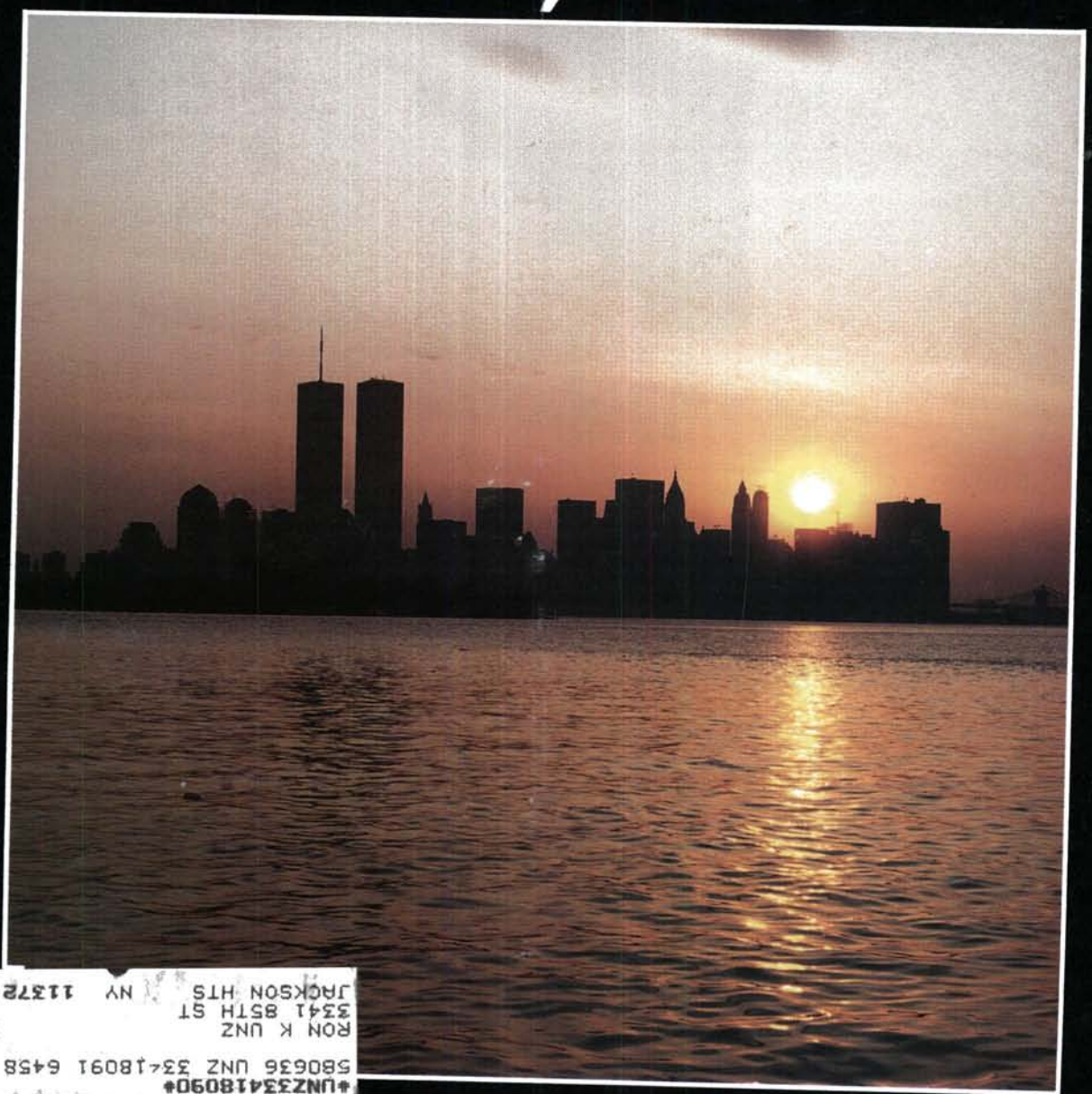

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FROM WASHINGTON

SOFT ON CRIME

It's wonderful how the criminal travails of folks in and around the Reagan administration have opened the eyes of conservatives to the merits of the American justice system. There was a time when nothing exercised right-wingers more than the specter of "criminals getting off on technicalities." Attorney General Ed Meese famously remarked, "You don't have many suspects who are innocent. That's contradictory. If a person is innocent of a crime, then he is not a suspect." Now Meese and fellow Reaganites glory in the exotica of criminal defense law.

Meese's attorney, Nathan Lewin, complains on the *New York Times* op-ed page that the attorney general himself is being denied the presumption of innocence because people are reaching their own conclusions about his copious legal difficulties without waiting for any indictment and trial. "I have little doubt that the press's recent indictment of the attorney general will not stand up to the scrutiny of any fair-minded prosecutor," Lewin writes.

This is touching, but confused. Justice requires the participants in the criminal system—judge, prosecutor, jury—to presume a person is innocent unless and until he's been convicted. It also requires them to suspend their disbelief and accept that a lawyer like Mr. Lewin, who spends his life defending accused criminals, sincerely believes everything he says in every client's behalf. But no such suspension of disbelief is required of readers of the *New York Times*. Mr. Lewin is being paid several hundred dollars an hour to believe that Ed Meese is as innocent as a newborn lamb. Not laboring under such an advantage, we are free to examine the evidence and draw our own conclusions.

In the case of the Iranamok Four—Oliver North, John Poindexter, Albert Hakim, and Richard Secord—there is virtually no *factual* dispute about what they did, as outlined in their recent 101-page-long indictment. They may well get off. But, as conservatives used to love pointing out, innocence is the least of the reasons the American justice system chooses not to convict people. Especially in the capable hands of a Nathan Lewin or a Brendan Sullivan, American justice offers something even better than a fair trial: an unfair trial.

President Reagan has already exonerated Bud McFarlane. "He just pleaded guilty to not telling Congress everything it wanted to know," Reagan said. "I've done that myself." Yes, that's what he pleaded guilty to, but that's not what he did. What he did was lie. Knowing all about his subordinate North's activities on behalf of the *contras*, he wrote the House Intelligence Committee that he had "thoroughly examined . . . all matters which in any remote fashion could bear upon these charges" and could "state with deep personal conviction" that no one on his staff had ever solicited funds or support for the *contras*.

McFarlane repeated this lie several times in letters and testimony. The obvious purpose was to prevent the Intelligence Committee—which totally depends, after all, on information from the executive branch—from performing its legitimate function. Yet the president insists his offense was trivial, because he copped a plea to a lesser crime.

Lawyers for the Iranamok Four have other arrows in their quiver besides plea bargaining. They want the indictments thrown out, for example, because the special prosecutor is unconstitutional. Even if this peculiar exercise in right-wing judicial activism succeeds, that will say nothing about the actual guilt or innocence of the defendants. It's not OK to lie, cheat, and steal just because the special prosecutor is unconstitutional. But we can count on this subtlety getting overlooked in the festivities of vindication if this should happen.

The Iranamok prosecution is desperately hobbled by the immunity granted the defendants for their testimony at last summer's congressional hearings. Prosecutors have gone to almost comic lengths—such as not reading the newspapers—to avoid acquiring useful information. Even so, defense lawyers will fight every bit of evidence, arguing it is tainted.

The situation is just like that caused by the Supreme Court's "exclusionary rule," widely loathed among conserva-

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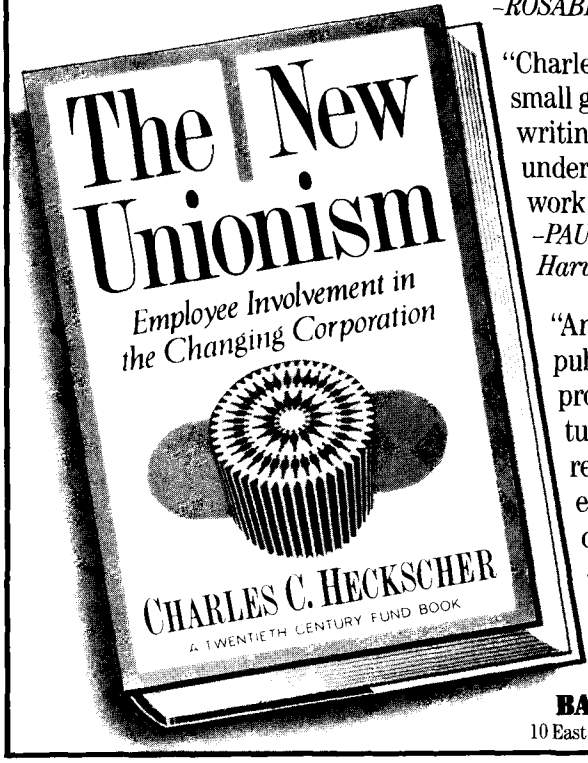

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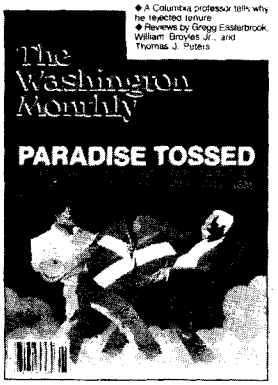

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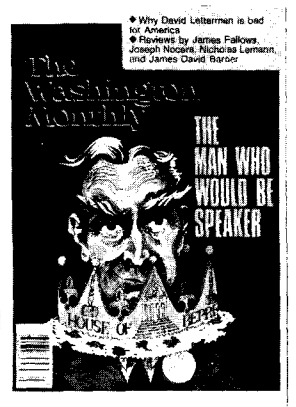

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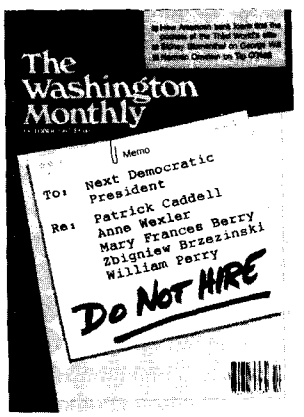

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CORRESPONDENCE

FIRING LINE

To the editors:
The United States does not have an appalling murder and suicide rate because of easy access to firearms ("Go Ahead, Make Our Day," February 22). Such countries as Denmark and Switzerland far exceed us in firearms ownership on a per capita basis, yet they have far lower murder and suicide rates. Gun owners don't pay an annual tax on their firearms, but they do pay taxes on ammunition. And part of the price of a gun reflects special yearly taxes that gun manufacturers, distributors, and dealers must pay. Finally, many states do have laws concerning firearm use and insurance.

Like the NRA ads being criticized, TNR's editorial polarizes readers while not addressing the real problem. Something has gone wrong with our society during the last 40 years, resulting in our shocking lack of concern for human life. The sooner we face the ugly truth, the sooner we will find the real causes of our troubles.

PATRICK T. HOLSCHER
Laramie, Wyoming

To the editors:
In addressing the foiling of rape attempts, TNR knocks the size of the sample in the Justice Department's 1979 report, yet your rebuttal is cloaked in the flimsiest of hand waves: "more reliable studies" and "what the police say." You owe us clearer references. Also, the closing argument begins with this disingenuity: "We support the banning of handgun sales, as do some 40 percent of Americans, according to Gallup. But the NRA still has the influence to keep that from happening." Gosh, you mean those evil *pistoleros* have craftily managed to prevent a third of the population from imposing their will upon the entire citizenry? Deception and hysteria indeed.

MARK A. SON-BELL
Boston, Massachusetts

To the editors:
TNR seems to feel that calling into question three NRA statements makes the anti-gun case without further consideration, and then trots out exploded liberal standbys on the subject as self-evident facts. To name a few examples: "We should apply the same standards to private gun ownership that we do to automobile ownership: license, registration, taxation, etc." How safe has government automobile licensing made our government-run streets and roads (where more people die annually than from handguns)? How much of an inroad has it made into the current rate of car thefts? "Gun ownership is regulated by a hodgepodge of laws that vary from state to state," implying that federal laws will solve the problem. The same argument was made for Prohibition and the current no-win war on drugs. "According to the FBI, 60 percent of murder victims are related to or acquainted with their killers," and were therefore supposedly killed by ordinary law-abiding citizens, whom gun control would have discouraged, rather than professional criminals. This fudges the fact that such "acquaintances" could be made through criminal relationships, and that professional criminals have friends and family, too.

WILLIAM WOMACK
Austin, Texas

To the editors:
If 22,000 people were killed by handguns in 1986 and 193 of them were killed in self-defense, all you can conclude is that you are 115 times more likely to die from a gunshot wound inflicted in a suicide attempt, murder, or accident than in a thwarted attempt to commit a crime. You cannot make any direct conclusions about the likely uses of handguns, as TNR does (i.e., it is "115 times more likely that a handgun would be used in a suicide, murder, or accident than in legitimate self-defense"), because not every use of a handgun results in a death.

A. R. JOSEPH
College, Alaska

DEADLY OPPOSITION

To the editors:
Morton M. Kondracke writes that while Bruce Babbitt and Gary Hart criticized Israel's riot-control tactics, all the other presidential candidates said only "mush" ("Mideast Mush," February 29). Kondracke evidently believes that anyone who fails to condemn Israel on this issue is less than "forthright." In the current atmosphere, the opposite is true. Because of the press's renewed Israel-bashing, only the bravest politicians dare to remind us that Arabs throwing firebombs are as deadly as Israelis who defend themselves with guns and batons. Kondracke says the United States will need "brains and courage" if it is to help bring peace to the Middle East. It takes both to realize that the cause of peace is ill served when rioters achieve their goals through violence.

DAVID A. SHERMAN
Waltham, Massachusetts

STATES' RIGHT TO CHOOSE

To the editors:
Although I would very much like to be reassured by "Baker V. Carr's" argument concerning the irrevocability of *Roe* v. *Wade* ("Kennedy Justice," February 29), I don't think state legislators are as hesitant to tangle with the abortion issue as he believes. In Harrisburg, at least, anti-abortion bills are introduced and approved with the speed and unanimity usually reserved for Boy Scout commendations and pay hikes. The state Senate voted just recently to approve a package of abortion-related restrictions: the measure was based on a proposal released by Robert Casey, the state's Democratic governor, last month. If *Roe* v. *Wade* should ever be reversed, expect Pennsylvania to lead the right-wing whirlwind by adopting strict, repressive laws to abolish a woman's right to choose.

J. RANDALL BALDINI
State College, Pennsylvania

VOZNESENSKY AS ARTIST

To the editors:
One really cannot polemicize with the emotional outbursts of Andrei Voznesensky's friends, translators, and promoters (Correspondence, February 29). No one among them disproves any factual statement or any opinion contained in my review of Voznesensky's book. But I must take exception to Patricia Blake's letter, since she virtually accuses me of insensitivity to the tragedy of the Jews during the Holocaust. For any human being of integrity and self-esteem, such a charge is deeply insulting and totally unacceptable.

What was at issue is not the topic of the Holocaust, but the artistic merits of

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THE NEW REPUBLIC
APRIL 11, 1988

GREEN AND UNPLEASANT LAND

"There seems to be no depths to which these people won't sink" was Margaret Thatcher's reaction to Ulster's latest convulsion. She was, as ever, blunt. In one phrase—"these people"—she summed up that vague, and culpable, blend of incomprehension and contempt with which mainland Britons view their fellow citizens in Northern Ireland.

It's worth remembering in the middle of funeral bombings and point-blank shootings just who "these people" are. They are not, for the large part, the citizens of Ulster. True, there has been sporadic rioting in West Belfast for nearly two weeks now, proof of the genuine grievances minority Catholics still feel. But all of the recent murders in the province have been committed by professional terrorists. The hand grenades thrown into Milltown cemetery on March 16 belonged to a Protestant extremist with a paramilitary past. Three days later in West Belfast, panicked mourners started the lynchings of two British army signal operators, but the savage stripping, beating, and shooting were carried out by members of the provisional IRA. The shooting of 21-year-old Jillian Johnson as she sat in her boyfriend's car outside her home in Fermanagh on March 18 and the killing of a 25-year-old policeman, Clive Graham, in Londonderry a few days later were also the handiwork of IRA provisionals.

The aim of this terror, of course, is precisely to create an atmosphere where crimes lose their specificity and where terrorists become indistinguishable from the people they claim to represent. In this climate of fear, we can easily forget that over the last year or so there have been clearer signs than ever that the majority of both communities in Ulster have no incentive to continue this pointless struggle, and little desire to.

At Enniskillen last fall, when the IRA bombed a crowded Veterans Day service and killed 11 civilians, a spokesman for the local community went on television to express forgiveness for those who had just killed his daughter. In the initial calm of both funerals last week, clergy called for an end to the violence. On both occasions the Catholic community had already forged an agreement with the police for minimal security in return for no explicit display of IRA force. This cooperation on a local level was no freak. It was reflected higher up immediately after the murders with an emergency meeting of the Inter-governmental Conference between the British and Irish authorities, held under the Anglo-Irish agreement of 1986. In the middle of the turmoil, top Irish and British officials met to construct a joint security response.

Two-and-a-half years into the Anglo-Irish accord, there are other signs that the pessimists have been proved wrong. The deal gave the Republic of Ireland a consulting role in the affairs of Ulster while retaining British sovereignty in the province. It survived elections in both Ireland and Britain last year and has weathered, thanks to the resolve of the Thatcher government, massive resistance from unionists. The new Irish prime minister, Charles Haughey, who in opposition had vehemently deplored the deal, conceded last fall that "progress is taking place and the old order is changing." The Catholic primate of Ireland, Cardinal O'Fiach, called it a "shot in the arm for Catholics in the North."

He has a point. The accord has repealed the emotive "Flags and Emblems Act," which banned the flying of the Republican tricolor in the North. It has strengthened existing law on incitement to hatred and set up the Fair Employment Agency to monitor religious discrimination in the workplace. Supportive laws with sanctions are planned for this spring. Arrest powers—once virtually blanket—can now be exercised only on the basis of reasonable suspicion. The maximum period that police can hold terrorist suspects on their own authority has been reduced from 72 hours to 48. More important, coordination between the security forces of both countries has gained pace, with

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cross-border chases now routine. Last December the Republic also signed the European Convention on the Suppression of Terrorism, which stiffened extradition law between Britain and Ireland. These are the slow, small reforms that alone can stanch the terror and eventually lead to some sort of modus vivendi between the two communities.

Still, the latest violent setbacks were no accident, and stem in part from recent actions in London. In a series of unrelated but cumulative incidents, it has become clear that renegade elements of the British security forces have been operating what amounts to an unofficial "shoot-to-kill" policy against IRA terrorists. When an independent mainland British police official, John Stalker, investigated the police killings of six unarmed men in 1982, his inquiry was first obstructed by the Special Branch of the Royal Ulster Constabulary, and then suspended by Whitehall. A subsequent inquiry upheld Stalker's claims of obstruction, but earlier this year the British government refused to bring criminal charges against the police involved, "for security reasons." In January a British soldier imprisoned for life in 1984 for the shooting of a civilian was released and reinstated in the army. In February a British soldier shot and killed a civilian at a border checkpoint. In early March three unarmed IRA terrorists were shot dead in Gibraltar by British agents.

There are mitigating circumstances in some of these cases. Stalker was removed after troubling questions were raised about his connections with petty criminals on the mainland. The soldier who shot the civilian in February has been charged with murder and will soon be brought to trial. The terrorists in Gibraltar were thought to be armed and were subsequently proved to have been planning an attack that could have killed dozens of civilians. The reinstated soldier committed his offense in the middle of a Belfast riot. He will never serve in Ulster again.

But the overriding impression—especially from the se-

THE ZEITGEIST CHECKLIST

BY CHARLES PAUL FREUND

This Week		Last Week	Weeks on Chart
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3.	GANG OF FOUR	5	38
4.	RADICAL SHEIK	2	10
5.	THE RIGHT SNUFF	*	2
6.	CIVIL RITE	—	1
7.	OUT OF THIN AIR	*	5
8.	MIDNIGHT IN MOSCOW	*	3
9.	THIS LAND IS THEIR LAND	—	1
10.	ENTER THE MANIAC	—	1

1. DOWN THERE ON A VISIT

Nicaragua. When a president sends troops abroad he usually enjoys initial popular support. In the dispatch of troops to Honduras there was far more attention paid to Reagan's political motives, and none to the *contras* except as cannon fodder. As for Ortega, the line is that he's surely a paid U.S. agent. Nicaragua is not bearing much serious weight.

2. RIGHT MAKES MIGHT

The rest of Central America. Central America must be a great disappointment to Reagan: the armed right won't behave. In fact, that armed right, especially the politicized armies, is very much a creation of U.S. anti-communism. Unfortunately, the Liberal Democratic Middle is finding it hard to compete with these forces, which we've encouraged in their name. Not for the first time, either.

3. GANG OF FOUR

Iranamok. The angle on the indictments of North, Poindexter, Secord, and Hakim is: When will Reagan pardon them all? A post-election pardon, however, is not so cut-and-dried. Will Nancy really let Reagan leave office on such a note? It probably depends on the pretrial script that Brendan Sullivan prepares. Right now he's making Reagan look like he's on the run.

4. RADICAL SHEIK

Israel. The shooting death of an Israeli soldier is not the only escalation in the uprising. The *kafiyeh*, long a fringe fashion item, is now a fad perceived as a political statement. Further, the Loony Left is buying newspaper space denouncing Israel as an "apartheid" state. Such ads have often had rhetorical consequences.

5. THE RIGHT SNUFF

Splatter news. Last year the mainstream was worried about *Faces of Death*, a bloody video compilation popular with kids. This year's evening news is regularly outdoing *Faces* in shock value. The appalling Irish mob footage is the latest example; the whole world is gagging. TV's gore threshold has moved, and is affecting popular consideration of foreign affairs.

6. CIVIL RITE

Grove City veto. The Grove City veto debate was a replay of the original 1964 Civil Rights debate: horror scenarios of federal power, but with an important difference. In '64 opposition to civil rights enforcement was broad-based; such scenarios were often business-oriented. Today it is church-based, a sign of where the activist right has gone.

7. OUT OF THIN AIR

Ozone. Get out your hats and sunglasses, the ozone layer over us has now thinned. This discovery comes a smidge late for the new ozone treaty currently making its leisurely rounds. But that's OK, the environment is all the presidential candidates can talk about, right? Of course, when serious coverage might have shaped this debate 18 months ago, the story was relegated to page C20.

8. MIDNIGHT IN MOSCOW

Soviet unrest. So how long do *you* think Gorbo can last? Eastern Europe watchers are betting on which satellite nation will blow up this year, *Le Monde*'s correspondent is actually speculating about assassination, and even *Novy Mir* (!) has carried a speculative piece about post-Gorbo scenarios. The Soviet Union, it suggests, is in a "pre-coup" situation.

9. THIS LAND IS THEIR LAND

Foreign investment. Reviewers may wrangle over the Tolchins' book on foreign investment, but it is the popular U.S. attitude that is interesting. The *Economist* reports that 40 percent of the country wants such investment prohibited. Majorities or pluralities think the Japanese are better businessmen, make the best products, and treat their employees best, but guess who a plurality would prefer as partners? The British.

10. ENTER THE MANIAC

Ninja cultism. Has some weird connection been forged between certain martial arts and the violently deranged? Germany's *Stern* and the calmer *New Statesman* of Britain have recently explored murders and other acts of violence committed by men immersed in Ninja fantasies. Both journals have pronounced the Ninja phenomenon a "cult."

*Item resurfaces in the Zeitgeist after at least one week's absence.

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cretive and defensive way in which London has reacted to these events—must be that Britain still clings to traces of a security policy inimical to the aims of the Anglo-Irish accord. Shoot-to-kill practice makes no sense in the context of attempting to build bridges to the Catholic community. It is, in any case, as indefensible in West Belfast as on the West Bank.

What the majority of people in Ulster now deserve is a new Anglo-Irish push to bring to trial the terrorists behind the latest atrocities, and a clear statement from London that there will be real reform in the British security forces. What that amounts to is a restoration of proper control over the more freewheeling security agencies, particularly the RUC's trigger-happy Special Branch. If abuses within the RUC command amount to criminality, the British government should reopen criminal prosecutions, or risk losing the moral advantage it still has. In addition, Downing Street should reconsider the wisdom of sending young, raw recruits into the melee of Belfast. The two soldiers lynched in West Belfast last Saturday were 23 and 24 years old; the reinstated soldier was 18 when he shot into an Ulster riot. In the volatile climate of Northern Ireland, teenagers hardly constitute an effective security policy. At the same time, those unionists still boycotting the agreement might think again about the moral and political consequences of holding out any longer.

These reforms, of course, will be all the more difficult in the midst of Ulster's current unrest. A recourse to a military solution—a sealing of the border, a shoot-to-kill policy by the army, a return to pre-accord norms of arrest and imprisonment, and the end of consultation between Ireland and Britain—would be politically easier and strategically simpler. It would amount, in short, to an Irish version of Israel's current policy of attrition in the occupied territories. Naturally, it is what the terrorists now want, and what their latest round of horror is designed to achieve. We hope that Dublin and London resist giving it to them.

NOTEBOOK

□ HE SAID IT: Reached by the *New York Times* for comment about a proposal to make Whittaker Chambers's farm a national landmark, 83-year-old Alger Hiss said he was reserving comment for "what he termed a semi-autobiographical book" to be published in May. Semi-autobiography, of course, is an art Hiss has been practicing for decades.

□ AIR HEADS:

Air fare hikes may clip companies' wings

—*USA Today*, March 7, page B1

Firms get best breaks on airfares

—same paper, same day, page E1

(thanks to Wilbur Coyle)

□ BURMESE HAZE: When a government with full diplomatic relations with the United States shoots dead at least 30 students on a college campus, injures dozens, and arrests hundreds, you might expect a little flurry of concern in Washington. As it turned out, the recent massacre in Burma made two column inches on page 11 in the *New York Times*. No doubt that country's heavy censorship has something to do with it. But so too has the West's complacency about Asia's forgotten dictatorship. For 14 years after independence in 1948 Burma was a rare example of Third World parliamentary democracy. Since a military coup in 1962, Gen. Ne Win has ruled with a clumsy mix of socialist economics and political brutality. The result is a wrecked economy and the slow death of once proudly held democratic principles. Last fall, when the prospect of famine led to major campus protests, the army closed all universities. Last week, as middle-class city-dwellers joined students in mass demonstrations against economic collapse and political oppression, they were greeted with gunfire. The State Department, for all its claims about backing Southeast Asian "people power," has so far met them with something just as implacable: indifference.

□ THE END OF AN ERA: Bending to the wishes of irritated readers who have been writing to us for years on this subject, we henceforth abandon the hoary practice (dating back to 1977) of signing the "Washington Diarist" column with initials rather than names. Why this matter should excite people so much is a mystery, but one we've given up trying to solve. Have it your way.

□ MORE LOCAL BOYS MAKE GOOD: Robert Brustein has won the 1987 George Jean Nathan Award for Dramatic Criticism. And it's not the first time: he was the winner in 1962—which gives him the added distinction of being the first person to win it twice. Robert B. Reich has edited and co-authored *The Power of Public Ideas*, published by Ballinger.

□ CORRECTION: Gerard E. Lynch's piece last week, "Insult to Injury" (April 4), mistakenly referred to Jennifer Levin as "Jessica."

WHITE HOUSE WATCH

REAGAN'S LAST STAND

AT PRESIDENT REAGAN'S weekly "issues" lunch with White House aides on March 14, he got the bad news about the *contras*. National security adviser Colin Powell said they're in desperate shape now that Congress has cut off both military and "non-lethal" aid. Their food is practically gone, and they're exposing themselves to

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attack by retreating and congregating in areas where they can get supplies. Reagan took the news poorly. "This is the same old thing by Congress," he said. "Look at all the countries that went down the tubes right after Vietnam because of congressional interference in foreign policy." His aides nodded in agreement.

Reagan thought he was on to something, and he said he wanted to bring the Vietnam analogy up the next day at a meeting with congressional leaders. "I need to know if that's an appropriate place," he said. You'll get an argument from the Democrats, responded Howard Baker, the White House chief of staff, but it's obviously "your decision" on whether to mention it. "Then I'm going to bring it up," Reagan said. He did, while pounding his fist on the table in the Cabinet Room to emphasize his point. "In Vietnam, we forced our friends to sign on to a peace agreement. Part of it was that, if it came apart, we'd send in the necessary resources to help them. But when things broke down, we turned away." Baker was wrong. This didn't get the slightest rise out of House Speaker Jim Wright and the other Democratic leaders.

Nor should it have. This was tough talk on Reagan's part for purely private consumption. It was disconnected from the strategy the White House is pursuing to keep the *contras* alive. Reagan may be as ferociously pro-*contra* as ever, but he's a pussycat in public. The White House now is resigned to taking whatever meager aid it can get out of Congress. If that means no military aid, fine. If that means what a White House aide calls "muting our rhetoric," fine. If that means calling off White House lobbyists, fine. And if that means trying once more to reach agreement with Wright, that's also fine.

NEITHER Reagan nor anyone at the White House was the moving force behind the deployment of 3,200 Army troops in Honduras on March 17. Secretary of State George Shultz was. When Sandinista troops crossed the Honduran border in a strike at the *contra* headquarters and supply depot, Shultz demanded action. He met with Baker and Powell for breakfast on March 16, and it was decided the Pentagon should come up with military options, noncombat ones. An hour later Reagan was advised by Powell that these were being explored. He had no particular response, an aide says. Later in the morning, three options were presented to the president. He was amenable to all three. "When friends ask for our support, we should provide it," he said. Reagan was referring to Honduras, which hadn't officially requested American support at that time. When reporters were told by Press Secretary Marlin Fitzwater of Reagan's comment, they laughed. A transcript of Fitzwater's briefing quotes one as saying, "Oh, come on," and another as asking, "Was a speechwriter there?"

The White House made only a fainthearted effort to exploit the troop deployment. Reagan didn't comment for two days on the subject. When he broke his silence in his Saturday radio address on March 19, he restricted himself to what a senior official calls "the usual stuff." The cutoff of *contra* aid that went into effect on February 29 "is giving the communist dictators a chance . . . to smash their opponents." In dispatching troops to Honduras, far from the combat zone, "Our purpose is to send a signal to the governments and peoples of Central America about the seriousness with which we view the situation." If Reagan had said all this in a speech, and if the White House had ballyhooed the speech, it might have gotten press attention. By choosing the radio address, which reporters regard as a newsless nuisance, the White House got minimal impact.

The Sandinista incursion was hardly a surprise at the White House, which had gotten hints of trouble in early March. "We began to see [Sandinista] convoys moving northward," says an official. "We saw helicopters being transferred. Then we got intelligence reports of troop movements. Then satellite photos showed the deployment of helicopters. Subsequent photos showed deployment of 16 big fuel tanker trucks." By March 10 the administration had informed the House and Senate intelligence committees of the Sandinista activity. On March 15 the Honduran military told American officials that the Sandinistas had crossed their border.

The Hondurans wanted to know what kind of help the administration would give them. After Shultz's meeting with Baker and Powell, the Pentagon came up with the three options. One was to provide helicopters to transport Honduran soldiers to the border. Another was to send jet fighters to Honduras. The third was to dispatch American troops on a so-called training exercise. President Jose Azcona was given his choice, and he took the troops. That afternoon Powell met on Capitol Hill with Democratic leaders. When asked if troops were being deployed, he said no decision had been made. This was true, but misleading. Since Reagan has approved all three options, this meant he was ready to deploy troops as soon as Azcona requested them. The essential, though not the final, decision had been made. The troops were on alert.

THE CONTROVERSY over Powell's denial and the sending of troops chilled the relationship between the White House and congressional Democrats. This was disturbing to Reagan's aides because they thought the leadership meeting the day before had generated goodwill. Not only had Democrats let Reagan's Vietnam comment pass, they also didn't take offense at his statement that "some people don't know who the good guys are in this fight." Alan Simpson, the deputy Republican leader in the Senate, said it was time to clean the slate and come up with a new bill. Wright seemed willing. If the Senate came up with a bipartisan aid package, he promised to look at it and perhaps bring it up for a quick vote. "We were encouraged by all this," says a Reagan aide.

To capitalize, the White House opted for "less public rhetoric, less animosity between the players, more cooperation." Reagan was muzzled. "Part of our reticence is to cool the fires and work things out on Capitol Hill and find a bill everyone can agree on," an official says. Tough talk and hard lobbying failed twice in February, once when military aid to the *contras* was defeated, once when "hu-

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manitarian" aid was. "We're trying a different strategy this time." The White House was so fearful of interfering that it declined to endorse a bipartisan bill of $48 million in non-military aid that also allows for delivery to the *contras* of military aid previously authorized.

When the Sandinistas pulled back after failing to capture *contra* headquarters or the supply depot, Reagan didn't gloat. One of his advisers said the troop deployment was only one reason for the Sandinista retreat. The offensive was a "complicated" one, he says, since it's hard to keep an army in the field where there are no roads. "The topography suited the *contras.* They had the home-court advantage." The arrival of the 82nd Airborne, though miles from the nearest Sandinista soldier, had scare value. "If I were a Sandinista soldier and saw those American planes, I'd have crapped in my pants."

Reagan delivered two speeches to Republican groups on March 22, but he tucked the *contra* comments in the middle. He said, "Those who led the fight against our package of assistance to the democratic resistance cannot escape responsibility for what followed." He didn't name names, or even single out Democrats. This was too tame for some officials. One senior adviser wants Reagan to convene a joint session of Congress, denounce Sandinista perfidy, and say the United States cannot let the *contras* and their cause die. "He could turn around to Wright and demand an immediate vote on more aid." This would be great television, but the adviser concedes that there "isn't any taste for it" at the White House, even with Reagan.

Next to the Vietnam analogy, Reagan's favorite topic in private conversations is "the Colossus of the North." That's his sarcastic name for what President Richard Nixon called the "pitiful, helpless giant," an America that can't help its friends. On Reagan's watch, it's practically come to that in Nicaragua. Lacking public support, Reagan is afraid to take bold action. He's left with trying to coax a survival fund for the *contras* out of Congress and staging a show of force. The show worked this time, just barely. "The *contras* dodged the bullet, but the bullet came very close indeed," says a White House official. "We thought they were going down." They may yet.

FRED BARNES

ON THE HILL

DON'T LOOK NOW

ON MARCH 16, the day that President Reagan vetoed the Civil Rights Restoration Act and provoked a bitter override struggle in Congress, the National Organization for Women held a press conference. It wasn't to announce opposition to Reagan's veto, but to declare solidarity with the Sharpeville Six, five men and one woman facing execution in South Africa. The Six won a one-month stay. Meanwhile, NOW was less outspoken in the battle for justice closer to home. The story of why NOW stood on the sidelines during the most important legislative battle for women's rights in recent years is a textbook example of how to lose friends and not influence people on Capitol Hill.

A coalition of liberal groups called the Leadership Conference on Civil Rights has been pushing since 1984 for passage of the Civil Rights Restoration Act, the so-called "Grove City" bill, after the Supreme Court's *Grove City College* v. *Bell* decision. In that case the Court ruled that federal civil rights laws banning discrimination by institutions receiving federal funds apply only to the specific program receiving the funds, and not to the entire institution. If, for example, the Dartmouth athletic department were the school's only department receiving federal funds, it had to comply with civil rights laws, but the rest of the institution did not.

Grove City was a major setback to the civil rights movement in general, but particularly to the women's rights movement. It hit hardest in the area of Title IX lawsuits challenging sex discrimination in education. The Grove City bill rejects the Court's interpretation, restoring the former protections of Title IX and other civil rights laws. Women's groups led the fight for the bill, including the American Association of University Women, the National Women's Law Center, and the Women's Equity Action League. Though somewhat less active, NOW was also involved.

CONSERVATIVE opponents used filibusters and other procedural devices to prevent passage of the Grove City bill year after year until this January, when Democratic leaders Ted Kennedy and Robert Byrd made it a top priority. Though there was bipartisan support for the bill, conservative opponents had one powerful concern: the bill could require Catholic hospitals receiving any federal funds to perform or pay for abortions. That issue is by no means clear. Since Title IX regulations were enacted in 1972, no one has ever sued a hospital to compel it to perform or pay for an abortion. The regulations concerning abortion rights under Title IX specifically allow hospitals to apply for a religious exemption, and no application has ever been rejected.

Nevertheless, to allay conservative concerns, please right-to-life groups, and help win passage of the bill, Republican Senator John Danforth of Missouri proposed an amendment stating specifically that Title IX did not require religious institutions receiving federal funds to perform or pay for abortions. To many senators, that seemed reasonable enough. In a society that does not lack for abortion clinics, why should Catholic hospitals be forced to perform abortions?

The Danforth amendment, mild as it was, infuriated women's groups, who feared it might be the thin end of some larger pro-life wedge. So the civil rights groups lobbying for the Grove City bill came up with an even milder alternative, sponsored by Democratic Senator Howard

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Metzenbaum of Ohio. Metzenbaum's amendment stated simply that the bill was "abortion-neutral"—that is, it wouldn't change Title IX one way or another.

NOW, however, felt that even the Metzenbaum compromise was an unnecessary concession to the forces of darkness. Although it did not actively oppose the Metzenbaum alternative, NOW did not support it either. And when Danforth's amendment passed by a convincing vote of 56 to 39, NOW decided it would rather see the entire civil rights bill go down to defeat than settle for a bill allowing Catholic hospitals not to perform abortions. NOW president Molly Yard urged that the bill either be withdrawn or that its sections dealing with Title IX be deleted. In 1989, NOW argued, the process could start all over again, producing a clean (amendment-free) bill.

THAT ARGUMENT, which was decisively rejected by the other groups, was NOW's second miscalculation and displayed bizarre political naïveté for a group old enough to know better. It had taken four years to get the Grove City bill this far. Even with a Democratic Senate and a unified Leadership Conference, civil rights activists considered themselves lucky that they weren't facing more controversial amendments. Besides, it's common knowledge even among the freshest Hill newcomers that bills introduced year after year fall into a legislative limbo and rarely become law.

The Leadership Conference held a meeting about a week after the Senate vote to decide on its strategy in the House. The United States Catholic Conference, pleased with the inclusion of the Danforth amendment, promised to work on behalf of the bill. Planned Parenthood and the National Abortion Rights Action League, two groups not in the Leadership Conference, helped the Conference by assuring anxious representatives that their groups would not publish a record of the House vote on the CRRA. Politicians could rest easy knowing that their yes vote would not be held against them by pro-choice liberals. NOW promised to maintain a neutral position—no active support, but no active opposition.

The House took up the Grove City bill on March 2. That morning every representative received a letter from Yard. "We hope you will work with the House leadership to get a 'clean' bill or to pull Title IX from CRRA," it said. The letter meant that NOW had broken with the Leadership Conference, reneged on its public position of neutrality, and was urging, in effect, that after a four-year battle for passage, the most important civil rights bill of the decade be killed.

Judging from the 315-98 vote on behalf of the bill, NOW's letter didn't change many minds. But "a lot of the members were outraged," says one Hill staffer who worked on the issue. "They had been assured that there would be no flak over this vote, and then they get this letter." Several representatives called other women's organizations to see if their position had changed as well.

No one seems to be able to figure out why NOW sent its letter, particularly without warning anyone in advance. (Yard didn't respond to inquiries.) Coming on the morning of the vote, it was unlikely to produce anything except confusion. An opponent of the bill could have read Yard's letter on the House floor with devastating effectiveness: "Even the liberal National Organization for Women wants to postpone this bill." And by breaking with an effective coalition, NOW could only weaken the bill's chances of passage in this and any other year.

On March 22 Congress decisively voted to override the president's veto. Most people consider the bill's passage a great success for the women's movement. NOW doesn't. "We're pleased that Title IX rights are restored," says a spokesperson. "We're just sorry that it had to come at the expense of women's rights."

RICHARD BLOW

POSTCARD SAMOA

WISH YOU WERE HERE

Pago Pago

The South Pacific trade winds usually manage to sweep away the stench from the tuna canneries that sit among the busy villages that line Pago Pago Harbor. But though this tiny island territory lies six time zones and some 5,000 miles west of Washington, D.C., Democrats in American Samoa have caught whiff of some loose talk from the mainland that has them all a-titter. The race for the Democratic nomination, they have heard, might still be up for grabs when convention delegates convene in Atlanta this summer. And after only one prior convention appearance, American Samoans are hoping their six delegate votes just might make the critical difference.

No, really. You see, even though Samoans can't vote in national elections, they take presidential politics very seriously. Cable News Network, which began service here one year ago, opened a window into the world beyond the coconut palms and the sheltering coral reef. Samoans greedily consumed the daily feeds on the Bork hearings and the Iranamok inquiries. Live reports from Iowa were as thrilling as the first clear day after a long rainy season.

When they heard about a strange political beast called Super Tuesday, Samoan Democrats saw a chance to put their party on the map. And so in the late afternoon dusk on Tuesday the Magnificent, when the polls in all the other caucus and primary states had already closed, the Democratic faithful gathered at Samoa's only hotel, the Rainmaker, which sits at the foot of a rich green mini-mountain of the same name. Dressed in traditional lava-lavas and flowered aloha shirts, 36 Democrats cast their caucus votes in the glare of the light from a local television cameraman.

Three dozen caucus participants may seem paltry, con-

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sidering the island population tops 30,000. But there are only 400 registered Democrats—and only a handful of Republicans—and, after all, the people don't have much political experience. The Iowa mentality—where a voter isn't satisfied until every national candidate has trotted through his living room—hasn't quite caught on yet on this Pacific island, where an emissary from a distant candidate has in the past sealed the delegation. But they're learning.

IN FACT, the whole point of holding a Super Tuesday caucus was to correct for what is widely viewed as a disastrous showing at the San Francisco convention four years ago. All six Samoan delegates stood up for Walter Mondale, bringing a mirthful smile to the usually droopy-eyed candidate's face, according to island legend. The Samoan delegates said aye, waved to the television cameras, sat down, and that was it. End of story. They came. They saw. They were promptly forgotten.

"We weren't in love with Mondale," says Dr. Glenn Jones, a *palagi* (viz., gringo) science teacher who is the Democratic national committeeman here. "It's just that he's the only one who showed any interest in us." All Mondale did was send a staffer to the island to meet with party officials, but it didn't take much attention to win the hearts of the Samoan voters. This year, though, was different. "The reason we chose Super Tuesday was because we knew this would be a day of maximum media coverage," Jones told his fellow Democrats caucus night. Indeed, a reporter from a Hawaii television station was on hand, and the local press corps, of course, was there en masse. (I happened to be on-island working on an unrelated story, and I was given a warm round of applause for my attendance.)

If attracting as much notice as possible was the goal, the result was a bit disappointing. Any designs for a unified, uncommitted delegation were dashed when Governor A. P. Lutali announced his support for fellow governor Michael Dukakis and American Samoa's delegate to Congress, Fofo Sunia, declared his allegiance to fellow representative Richard Gephardt. The caucus tally, then, showed 12 supporting an uncommitted ballot, 14 following Dukakis, and ten joining Gephardt. The caucus elected six delegates with a half vote each, two delegates for each of the three factions. The four DNC officers share an uncommitted fourth vote. Lutali, being a Democratic governor, gets a fifth technically unpledged vote, and if Sunia is named to the congressional delegation, he will represent Samoa's sixth vote.

All right, that sounds awfully complicated. Perhaps that's why there was some confusion after the results were announced. Sunia, a smooth-talking high chief who is under investigation in Washington for alleged illegal gifts to family and friends back home, pleaded with his fellow Democrats to unite under a single banner: "I want to see this delegation go as one rather than in pieces. One piece might get lost on the way to Atlanta." If he couldn't persuade his compatriots to come to Gephardt's side, then he would consider taking his bloc over to the Dukakis camp, he said. No can do, explained Jones, who has seen a convention or two from his home state of Texas. Party rules say only the candidate can release the delegates, once the votes have been cast. Well, they're learning.

The candidates don't really matter as much to the Samoans as the Samoans might mean to the candidates if the campaign is gridlocked in Atlanta. Politics in an island best known as a refueling stop for trans-Pacific flights are governed primarily by local concerns: land disputes, the tuna industry, and the like. If the governor says he is a Democrat, and he is popular, then his followers might call themselves Democrats. But there isn't much practical difference between Democrats and Republicans. Sure, the Samoans care about national politics. But they would care a lot more if they got some precious recognition, even respect, something more than a mythical chuckle from Walter Mondale.

Still, there are signs that Samoans are catching on to the Iowa spirit. Some weeks before the caucus Senator Al Gore Jr. sent a letter to Democratic officials here outlining his campaign. Not enough attention. Jesse Jackson sent a box of campaign buttons, but DNC Chairman Utu Sinagege didn't know what to do with them, so his son sold the entire crate in the schoolyard for 50 cents. Not enough attention. Gephardt appealed to Sunia in Washington, and Dukakis won over Lutali at a recent conference of governors. These efforts will have to do for now. If Gephardt drops out of the race before the convention, American Samoa could hold five technically uncommitted delegate votes, plus one pledged to Dukakis. "Nobody really gives a hoot about these guys," says Jones. "That's why we're going shopping in Atlanta." They're learning.

AARON FREIWALD

Aaron Freiwald covers the Justice Department for *Legal Times*, a weekly newspaper in Washington, D.C.

In defense of archaic legalisms.

HAPPY HEREINAFTER

ACCORDING TO a recent article in the *New York Times*, there is a boom in "legal writing" courses, meaning courses that presume to teach lawyers how to write. This has all the appearances of a fad. If it is, it is a welcome one. Lawyers are no more immune to bad writing than doctors or airline pilots. But since the lawyer is quintessentially a creature of words (as doctors and airline pilots may not be), it matters more when a lawyer cannot use the language well.

Yet one is left with a sense of unease, a feeling that something intolerably simple-minded is taking place and that some other more fitting remedy is being neglected. The *Times* reporter quotes from *Plain English for Lawyers* by a Professor Richard Wydick, who says that "good legal writing should not differ (without good reason) from ordinary,

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well-written English." What does "well-written" mean? Richard Diebold Lee, director of the American Institute for Law Training Within the Office, describes his target as "stilted writing" that is "unduly formal." Professors Fred Rodell and David Mellinkoff are quoted on the need to avoid unnecessary jargon and legal archaisms, and finally Judge Richard Posner attacks the "drab, Latinate, plethoric, euphemistic style of law reviews. . . ."

Naturally, everyone is in favor of eliminating the "throat-clearing" jargon (not to be confused with the "first thrum on the lyre" of the Homeric poet readying his instrument for the performance) that lawyers engage in, on the ground that it is ugly and unnecessary. Mellinkoff, who wrote a wonderful book on *The Language of the Law*, suggests that "aforesaid," "hereinafter," and similar terms be jettisoned in the interests of lucidity and sanity. Again, no quarrel.

BUT ONE SUSPECTS that many of those now involved in the "legal writing" industry believe that writing well is simply a matter of eliminating "hereinafters" or phrases from Black's Law Dictionary, or by extension, any Latinate polysyllables that rear their hydra-heads. For some students, a Strunk & White approach might be sufficient unto the day, or at least might be all they can handle. So you teach them to strike out unnecessary words, simplify the syntax (making it subject-verb-predicate, in television anchorman fashion), and hope for the best.

But "formal" and "stilted" language, with which "legal writing" courses are apparently intended to deal, is—we all know—not the whole of the problem, or even most of it. There are a hundred sundry ways in which prose can be bad without being "stilted"—it can be incoherent or verbose or dull or witless, incapable of expressive power. If the "legal writing" boom succeeds, one can imagine a world where the "informal" and "unstilted" prose of our lawyers will, in its mechanical simplicity, resemble most the prose we meet in *TV Guide*. But to this favor must we come? Should we want law students and lawyers to aim for *Reader's Digest* rather than Oliver Wendell Holmes?

Sometimes one of those fossilized phrases turns out to be wonderful, and so what if some can't understand it at first glance? Years ago I had to sue my landlord for failing to return a security deposit (I had tried every possible way to get it back, even invoking, like a Philip Roth hero, the fact that the landlord and my grandfather both hailed from Odessa). When that didn't work, all I had left was Small Claims Court. He countersued to frighten me. I don't recall any details of what happened, but I was thrilled when my lawyer sent me a copy of his answer to the complaint: "Now comes the Defendant and for his answer denies, Each and every allegation of the Plaintiff's complaint. And further answering says, that if he ever owed the Plaintiff anything, he now owes the Plaintiff nothing." This was beauty on the level of the Bible and Shakespeare, and I would intone the phrase, until my suit, his countersuit, the security deposit, Odessa, man's inhumanity to man, all vanished in the stark Morality Play of Plaintiff and Defendant. Do we want to eliminate this phrase and others like it?

Take the doctrine of cy pres, which is used to describe the principle of interpretation of a trust instrument "as close as possible" to the original intention. Imagine an old Bostonian (let's call him Henry Saltonstall Barstow), who made his fortune in mohair in the 1840s, and dies without an heir just before the outbreak of the Civil War, of a fall suffered while climbing a drumlin in Annisquam. By the terms of his will, he leaves his money in trust for the use of worthy "sons of Essex County preparing to study for Unitarian Ministry." Now suppose there are no "sons" of Essex County preparing for the Unitarian Ministry, but there happens to be a "daughter" doing so. By applying the doctrine of cy pres, lawyers would find a way to free up some money so that a "daughter" of Essex County could receive funds; she is as close as the lawyers can come to fulfilling the original intent.

The phrase "cy pres" is beautiful and nearly transparent ("si pres"—so near), with a noble Norman lineage. It can be instantly glossed for clients, and from then on they will know what it means. If we eliminate it, do we gain much clarity? And what about the loss in beauty and dignity? Should the law be deprived of all the outward and visible signs that tell us it has an interesting history, and that that history parallels, in a way, the history of English?

Courses on "legal writing" (which is to say, courses on writing that happen to be taught to lawyers) should demand much more than naive simplification. They should stress suppleness and subtlety. Like all good writing courses (or like a bookish upbringing), they should foster an attitude of affection, wariness, and respect toward words. Such a course might start by attempting to instill in the students a self-consciousness about English, by imparting a history of the language, of what makes it tick (its peculiar lexical mix, its customary syntax, its natural rhythms). A habit of mind that used to be the natural result of reading, and of a school system that emphasized composition, must now be inculcated in one small course.

In the desire to simplify, and in the indifference to vividness and resonance of language, some teachers of "legal writing" reveal their lack of tact with language. And their determination to eliminate, for the sake of the client, anything the slightest bit complicated, special, or remote may remind us of what has happened to religious English in recent decades. Think of the abandonment of the Latin liturgy for the sake of the worshipers' "comprehension." Think of the adoption of the Revised Standard Version, "simpler" and "clearer" than the beautiful King James Bible, but unable to interest even the most devout, or to command belief.

THE ASSERTION that lawyers deliberately write badly so as to impress others with the mystery of the law and so further their economic interests does not hold up under scrutiny. Lawyers write badly for the same reason other people write badly and use the jargon of their professions—of computer programming, for example, or literary criticism. They use jargon because they are unaware of just

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how opaque and unnecessary most of it is, not because they are trying to impress and preserve their economic well-being.

Take away, bit by bit, what is left that is peculiar to a profession's language, and soon there is nothing left. Many a little makes a mickle. And then we shall still have the Law, but nothing about it will connect or remind us of its past, nothing in its language will provide the patina of time. There it will be, all in brand-new English. We are too rigid, confusing the many words that should be eliminated with the few that should not. We wrongly blame legal language for the complexities of the material itself, as in the clotted clauses of the Tax Code. Very little in that intolerable code is the old language of the law; the words are in modern English but to decipher their meaning is hellish. Maitland's *History of English Law*, on the other hand, bristles with old phrases, but is a masterpiece of pellucid prose.

A sophisticated course on writing should not limit itself to the school of simplify, simplify, simplify. There are no rules that will always and everywhere apply. Latinate polysyllables and legal archaisms should not be done away with altogether. They are part of the law's heritage, part of what creates the mystery and majesty of the law. The mechanical imposition of rules to simplify the language of the law would leave it a duller profession, and would be no solution to the problem of writing well. It would simply be one more victory, in a stunning string of victories on these shores, for the Kingdom of Dullness and its loyal subjects.

PETER LUBIN

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The future of affirmative action.

THE BERKELEY SQUEEZE

FOR ALMOST the past two decades universities have tried to redress discrimination by setting different admissions standards for different ethnic groups. Few top-ranking schools worked harder at affirmative action than the University of California, Berkeley. But though Berkeley largely succeeded in creating racial "balance" where other universities failed, the result hasn't made anyone happy. Just about every ethnic group on Berkeley's campus is now up in arms.

The loudest complaints have been those by Asian Americans, who made up one-quarter of last year's incoming freshmen. In charges picked up widely by news media, they claim that discrimination is keeping their number artificially low. For Berkeley's blacks, getting in isn't the problem. It's graduating that's tough. Affirmative action has brought more blacks on campus, but less than one-third of them end up getting a Berkeley diploma. The rest quit school or transfer, blaming racism and an administration that seems to care more about packing them in than helping them out. Hispanics share the same frustrations. Less than half of them leave with degrees. Last but not least—not yet, anyway—come the whites. Their share of new freshmen dropped from 58 percent in 1982 to 39 percent in 1987—well below their share of the population.

Racial realignment has brought racial tension. The raw evidence ranges from the "Nips go home" graffiti in the bathrooms of Evans Hall (the main math and science building) to attacks on black students and the trashing of the offices of the African Students Association.

Berkeley's old admissions methods and the legislative guidelines behind them, fuzzy but well-meaning, were devised when California's colleges and universities had a lot of whites, not enough blacks and Hispanics, and hardly any Asians. "It's something everyone's going to face sooner or later," said Berkeley Vice Chancellor Roderic Park. "We're just there first."

BERKELEY IS there first for several reasons. When California's Asian population—heavily concentrated in the Bay area—began to soar during the late '70s, so did the number of Asian applicants to Berkeley. From 1979 to 1984 applications by Asians rose at an average *annual* rate of 21 percent. At the same time, a rapid increase in the state's Hispanic population caused Berkeley to boost its affirmative action intake of Hispanics. Their proportion among entering freshmen jumped from 6.1 percent in 1981 to 17.1 percent in 1987. Finally, the steady inflation of private university fees made the U.C.'s already low in-state tuition ($1,500 a year) look better to everyone. In 1974 Berkeley could admit all applicants who had the necessary minimum academic qualifications. Thirteen years later it could let in less than half of all applicants whose grades and test scores made them "eligible." Roughly one-fifth of those turned away had near-perfect 4.0 grade point averages.

Asian Americans are high-stakes players in Berkeley's new numbers game. Asian American high school graduates have a higher U.C.-eligibility rate (26 percent) than whites (16 percent), Hispanics (six percent), or blacks (four percent). A greater proportion of those eligible graduates apply to the U.C. system. And no U.C. campus is more popular among Asians than Berkeley. In 1987, for example, it drew 5,200 applications from the 7,000 Asian Americans who were U.C. eligible.

The Asian American community was upset in 1984 when it noticed a 21 percent drop in newly enrolled Asians from the previous year. Led by Judge Ken Kawaichi of the Alameda Superior Court and Judge Lillian K. Sing of the San Francisco Municipal Court, the newly formed Asian American Task Force on University Admissions came out with a report that accused Berkeley of discriminating against Asians. The ensuing controversy sent both the university and the Asian American community into a bean-counting frenzy.

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Behind the 1984 plunge were changes in Berkeley's admission policies. Specifically, the university decided not to include whites and Asians in its Educational Opportunity Program (EOP). Previously EOP had guaranteed admission to eligible students if they were economically disadvantaged (family income under $20,000) and their parents were not college educated. That year, however, Berkeley attracted more EOP applicants than it could handle. So Asian and white EOP applicants were thrown in with the regular admission pool. Since there were more Asian than white EOP students, more Asians were rejected.

In 1985 Berkeley added what Asian Americans considered insult to injury by adopting a set of "supplemental" admissions criteria. Forty percent of incoming freshmen are now selected solely on the basis of grades and standardized test results. Asians and whites are admitted to this group at equal rates. Another 38 percent of incoming freshmen are automatically offered spots under affirmative action or "special action" (recruited athletes, disabled students, etc.). That leaves 22 percent—mostly whites and Asians—who are judged on their grades and scores plus supplemental criteria that include a written essay, extracurricular activity, English composition skills, and foreign language capability.

The administration says it uses these criteria to make better choices among candidates who are statistically almost identical. Asian Americans don't see things that way. Newly arrived Asian immigrants, they say, are too busy learning English to study what the College Entrance Examination Board considers "foreign" languages: French, German, Latin, Hebrew, or Spanish. To them, the new criteria look more like a new way to weed out Asian applicants.

DID BERKELEY consciously discriminate against Asians in making these changes? The Department of Justice is still mulling whether to launch a formal investigation. But some of the evidence doesn't look good. The 1984 EOP decision should have gone through Berkeley's Academic Senate. Instead, it came from within the administration. Now no one in California Hall can remember who made the decision. Also mysterious was a proposed "floor" of 400 on SAT verbal scores—a measure that would have hurt the many Asian American applicants who speak English as a second language. First university officials told Judge Kawaichi that it didn't exist. Then they said that it existed but was never implemented. As for the supplemental admissions criteria, Assistant Vice Chancellor Bud Travers admits that the foreign language provision needs fixing. But he insists that, in general, the statistics show the criteria affecting whites and Asians equally. Asians have their doubts. Since the university controls the admissions figures, looking at the numbers is like playing three card monte on the sidewalks of New York. Even with both eyes on the action the cards are hard to follow.

Chancellor Ira Michael Heyman has soothed Asian feelings by appointing Asians to several committees now reviewing admissions. "We're not asking for any special treatment for Asians," says Kawaichi. "We're asking for fair treatment for everybody." What Kawaichi and other Asian Americans consider "fair" is an admission system that relies on grades and test scores. Judging applicants by essays and extracurricular activities is culturally suspect. Many Asian American families, the argument goes, regard something like a role in a school play as a frivolous distraction from the hours of study they feel are needed to get ahead. Kawaichi also believes that it's almost impossible to assign objective worth to subjective criteria like essays. His solution: "We know what grades measure."

But an "A" from Lowell High in well-to-do San Francisco is not the same as an "A" from Castlemont High in down-and-out Oakland. Moreover, if high school washouts like Albert Einstein were to apply to Berkeley, the objective criteria favored by many Asian Americans would keep them out. They would also exclude most black and Hispanic applicants. Asians and blacks don't like to talk about that. Activists on both sides are in what William Banks, a black professor of Afro-American studies on the vice chancellor's staff, calls "political alignment." Asian Americans support affirmative action, and blacks support them in their struggle against discrimination. Whatever the rank and file may think, leaders from both groups won't admit that admissions is a zero-sum game. Whether Asians like it or not, an admissions system capable of handling a wide variety of socioeconomic and ethnic groups—and of attracting bright, well-rounded students—must be broad to be fair. That means using more than just grades and test scores.

FOR NOW, black and Hispanic applicants remain protected by affirmative action. In keeping with a 1974 resolution by the California State Legislature, the University of California has tried to create a student body that reflects the ethnic composition of California's high school graduates. Blacks, Hispanics, and other groups traditionally "underrepresented" at Berkeley are let in if they have the minimum necessary academic qualifications. But the resolution makes no provision for the presence of a minority of overachievers—the Asian Americans. Asians, with eight percent of the state's high school graduates, now have 26 percent of the places in Berkeley's freshman class. Meanwhile whites, with 62 percent of high school graduates, have only 39 percent of the freshman class. The combination of Asian achievement and affirmative action for other groups has led to the white majority being disproportionately underrepresented.

The imbalance is going to get worse before it gets better. California's Hispanic and Asian populations will continue to grow well past the year 2000. The result: more regular Asian applicants and more protected places set aside for Hispanics. Blacks face a different prospect. Under the current affirmative action plan, they will remain protected for at least five years after attaining "parity" with their proportion among high school graduates. Blacks at Berkeley are now over parity. Despite a significant improvement in their grades and test scores, they won't be ready by 1992 to

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compete under regular admissions. Although California's white population will dwindle, the drop won't be enough to accommodate the increase in Asians and Hispanics. So far the whites have reacted to their reduced numbers without making much noise. But sooner or later some litigious white folks are going to start wondering why their Jane or Johnny didn't get in.

One solution to this mess is simple. Drop protection of applicants on the basis of race. Another alternative would be to award underrepresented applicants points toward regular admission. Or to link the concept of ethnic representation not to the proportion of all high school graduates, but to the proportion of those who are U.C. eligible. One thing is clear: letting blacks and Hispanics in by the front door so they can drop out the back does nobody any good. If the current black graduation rate remains constant, more blacks will fail to get a diploma in the next three years than the number who earned degrees in the last decade.

At a recent hearing on the charges made by Asian Americans, black Assemblywoman Teresa Hughes—sponsor of the 1974 regulations—reacted by denouncing the University of California for discriminating against *all* minorities. That charge avoids the central conundrum, as do all the proposed solutions. If Asians are underrepresented based on their grades and test scores, it is largely because of affirmative action for other minority groups. And if blacks and Hispanics are underrepresented based on their fraction of the population, it is increasingly because of the statistical overachievement of Asians. Both complaints can't be just, and the blame can no longer be placed solely on favoritism toward whites.

JAMES S. GIBNEY

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Drugs and diplomacy.

DOUBLE DEALING

THE U.S. GOVERNMENT officially declares Mexico to be "the largest single-country source of the heroin and marijuana available in the United States." Despite repeated promises of increased cooperation by Mexican officials and a doubling of U.S. anti-drug assistance over the past four years, Mexican marijuana production increased in 1987, and opium production decreased only marginally. Unlike some other countries, Mexico does not permit U.S. agencies to conduct "hot-pursuit" raids of suspected drug traffickers into its territory. Nor are American officials permitted to participate in planning or executing aerial eradication projects. The U.S. Customs Service officially declares that "the single most important factor which undermines effective and meaningful narcotics cooperation with Mexico is the level of official corruption within the Mexican government." Yet on March 1 President Reagan certified that Mexico has "cooperated fully" with U.S. anti-drug efforts.

Reagan issued similar certifications for the Bahamas, despite repeated allegations of high-level corruption extending up to Prime Minister Lynden Pindling; for Honduras, which provided a haven for international cocaine lord Juan Ramon Matta after his escape from Colombia; for Peru, the world's largest producer of coca leaf, where eradication and seizures have been negligible, and where no major traffickers have been prosecuted; for Bolivia, where it is not even illegal to grow coca plants; and for Colombia, where a terrorized Supreme Court, on a technicality, invalidated the treaty under which leaders of the Medellín drug cartel could be extradited to the United States. This year Reagan withdrew certification for Panama only after its dictator, Manuel Noriega, was indicted in a U.S. court. Last year, though Noriega was widely known as a thug and drug profiteer, Panama was certified—even praised by U.S. officials—for cooperating in anti-drug efforts.

WHAT'S GOING ON here? Is the Reagan administration serious about its oft-proclaimed "war on drugs" or not? Well, it is serious—but it is not willing to make drugs the controlling priority in its foreign policy, any more than the U.S. public is ready to go all-out against drugs on the domestic front. The Reagan administration is not willing to decertify Mexico and provoke an angry confrontation, just as the U.S. public is not ready to submit to widespread drug testing or allow police to handcuff cocaine-sniffing stock brokers and throw them into the slammer. On the foreign policy level, though, a crisis is developing that shortly may force the United States to decide whether to fight a real drug war—or surrender.

Right now the U.S. international anti-drug effort is afflicted by the Law of Competing Interests, which perpetually inhibits clarity and consistency in American foreign policy. The United States continues to aid and arm Pakistan even though it is building an atom bomb in violation of U.S. anti-proliferation policy. Why? Because Pakistan is America's ally against the Soviets in Afghanistan. Similarly, the United States tempers its criticism of human rights conditions in the People's Republic of China because the PRC is a major world power with which the United States shares strategic interests. The United States also took Syria off its list of nations sponsoring terrorism, partly because of some improvement on the terrorism front, but also because Syria was deemed likely to be important in the Middle East peace process.

At the same time, most countries do cooperate with U.S. anti-drug efforts to some extent, and some of them have enormous problems to overcome. For the United States to decertify such nations, and cut off aid and trade preferences, would be counterproductive. The Bahamas, for example, does permit "hot pursuit," and U.S. officials say they cannot act against a democratically elected govern-

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ment based on "rumors" about its prime minister. Panama in the past granted virtually every enforcement request extended by the U.S. Drug Enforcement Agency, and officials say they were reluctant to act without solid proof against Noriega. Bolivia has launched a first-ever coca eradication campaign. Peru's anti-drug efforts are hindered by terrorism and guerrilla warfare. Colombia is engaged in an epic struggle with the drug cartel over control of the country. What the situation calls for is a more sophisticated grading system than the present certification system, one that encourages cooperation and exposes inaction.

THE BEST example of the ambiguity of U.S. international drug policy is the case of Mexico, over which there was a furious bureaucratic fight this year about certification. At the State Department, both the Latin American bureau and the bureau for International Narcotics Matters favored using a loophole in the law to grant a "national interest" certification, which sends a loud message that the United States finds the country's anti-drug efforts inadequate but won't impose sanctions. Ordinarily, the Latin bureau might be expected to argue against actions that would upset a foreign government, but Assistant Secretary of State Elliott Abrams is furious at Mexico's left-leaning foreign policy, and especially its tilt toward the Sandinistas in Nicaragua.

The DEA and Customs sided with State, on the grounds that Mexico's equivalent of the FBI is riddled with drug corruption. The Treasury Department reportedly argued in favor of certification, on grounds that a political flap would hamper efforts to solve the Mexican debt crisis. The issue was decided in a meeting of the top-level Drug Enforcement Policy Board on February 29, at which Attorney General Edwin Meese weighed in for full certification on the grounds that Mexico's attorney general was waging a sincere struggle against drugs and deserved American support. It was clear, one official said, that Meese would be able to convince President Reagan to support full certification, and so State withdrew its objections. The president ended up granting certification, but added a weasely declaration that "Mexico has the capability for far greater achievement in narcotics control."

In the aftermath of the president's action, Congress has been up in arms, threatening to decertify Mexico, and bureaucrats who opposed giving Mexico a seal of approval have leaked word of their objections. The Mexicans too are furious, declaring (with considerable justification) that they are being scapegoated for a problem that is inherently American—namely, the demand for drugs. "It's deeply unfair and ridiculous," said Mexican Embassy press attaché Leonardo Ffrench, "that officials of a country with unlimited resources like the United States should keep blaming other countries with less resources for a problem that the United States itself isn't solving."

Ffrench and other officials point out that 60 percent of the Mexican attorney general's budget and 25 percent of the Mexican military budget are devoted to drug enforcement and that several dozen soldiers and police have been killed in combat with drug dealers in the past six years. Meanwhile, they say, U.S. consumption of drugs continues to grow, and the U.S. government is unwilling or unable to do anything about it.

THE FINGER-POINTING that occurs every March and April over certification obscures a deeper and more dangerous reality. At the rate things are going, the U.S. drug war in Latin America is being lost, and the drug cartel is winning, sometimes in league with terrorists and Communists also hostile to U.S. interests. David Westrate, assistant administrator of the DEA, says, "I think we've lost Colombia, or we're on the verge of losing" it to the drug cartel. "Things are getting worse and worse. The legal system does not function, and the legislative branch is directly influenced by corruption and intimidation." Colombia's former president, Belisario Betancur, has said of the cartel: "This organization is bigger than the state" in that its annual income ($7 billion to $10 billion) rivals the government's budget.

There are courageous officials in Colombia who are willing to fight the cartel, but they are in constant danger of losing their lives, as Attorney General Carlos Mauro Hoyos did on January 25. When the police and army fight drug dealers they have to engage in combat as well, with Castroite M-19 guerrillas, who have developed an alliance with the drug cartel. There is evidence that some officials, including Colombia's new attorney general, Alfredo Gutierrez Marquez, are ready to retreat, if not surrender. He says: "If one day the government considers it wise, convenient, and positive to talk with drug traffickers to find a formula of peace, which after all is the state's first obligation, the prosecutor [attorney] general's office would have no objection." One of these days, Colombia may well legalize the drug trade and consider cocaine, in effect, its most important cash crop.

The likelihood is that the cartel, having taken over Colombia, would not stop. It bought Noriega in Panama. In turn, according to information supplied to U.S. officials by former Noriega aide José Blandón, Noriega furnished campaign contributions to various Central American political leaders, including even Costa Rica's Oscar Arias. When Noriega and the cartel had a falling-out, says Blandón, an agreement was negotiated by Fidel Castro. Castro denies this, but a defecting Noriega pilot has said Castro is supplying Noriega with large quantities of arms with which to preserve his rule.

According to reports in the *New York Times*, drug corruption has infected the officer corps of America's Central American ally, Honduras. Some U.S. officials say that drug lord Matta is the chief source of corruption. "If two years from now he is still there," said one top official, "Honduras will have a drug problem that it can't reverse."

The United States is fighting not only corruption and fear, but also discouragement in many countries—and also traditional anti-American animosity that anti-drug pressure exacerbates. One Latin diplomat in Washington said, for example, that "the possibility exists that we will get tired of being accused. If we keep getting blamed, there will

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be a rising feeling of animosity among decent Colombians, Mexicans, and Bolivians, and it could create a rupture."

A Mexican scholar, Samuel del Villar of the prestigious Colegio de México, wrote last December that "the illegal drug market is one of the most disruptive single issues between Mexico and the United States." He complained that "a generalized benign neglect" governs U.S. drug policy for its own citizens, while the United States exercises "discriminatory coercion" against foreigners, which amounts to "scapegoating alien peasants, using the security and enforcement apparatus of their own governments" against them.

Legalization of drugs by the United States—that is, surrender—is one obvious solution that has been talked about in the abstract, but never fully studied in the concrete. Theoretically, legalization might take the profit out of drug trafficking, though the chances are that criminals would continue to take advantage of black markets in drugs that wouldn't be legalized—such as crack and PCP—and would devote their enormous resources to other enterprises, including political control of Latin America. Advocates of legalization tend to dwell on the costs of present policy, but not on the medical, social, and administrative costs of wider use of (and addiction to) currently illegal drugs.

At the moment there is no disposition whatever in Congress for legalization. Civil libertarians and liberals such as Senator John Kerry and Representative Charles Rangel actually are leading the way toward stronger anti-drug action, especially in foreign countries. The State Department's chief drug expert, Ann Wrobleski, says that this parallels a worldwide trend. Countries like Pakistan, which formerly produced drugs but had little domestic usage, now are facing huge addiction problems and are demanding action. "Other countries see what is happening to Colombia, and they say, 'We don't want this to happen to us.' "

A key to getting truly full cooperation abroad has to be a perception among foreigners that the United States is doing all that it can to fight drugs domestically. Politicians including Rangel have proposed a substantial increase in spending for drug education, treatment, and federal assistance to state and local authorities. The U.S. military could be used in a more aggressive way for border interdiction. If it's impossible to win the war any other way—and undesirable as it might be medically and socially—marijuana might be legalized so that law enforcement could concentrate on cocaine and heroin.

And stock brokers could be arrested, at least long enough to be fingerprinted and embarrassed. Though often maligned by Democrats and liberals, Nancy Reagan's approach also ought to be expanded—especially her message that "if you're a casual drug user, you're an accomplice to murder." The best anti-drug foreign policy for the United States was enunciated by Secretary of State George Shultz: "We should not preach what we do not practice."

MORTON M. KONDRACKE

The diminishing joys of living in New York.

ROTTING APPLE

BY HOWARD KURTZ

New York

One Friday evening last December I left my 17th-floor office to catch the E train from midtown Manhattan, where I work, to Forest Hills, Queens, where I live. But hundreds of angry commuters were pouring out of the subway station, saying that no trains were running. I walked ten blocks north to another station to try an alternate route to Queens, and waited on the platform for 20 minutes until it dawned on me (there was no announcement) that those trains weren't running either. Finally I made a connection to a jammed train on the creaking, elevated Flushing line, one so packed with sweating human bodies that it seemed incapable of moving. Indeed, after two stops it came to a permanent halt. I made my way to the cold street below, where thousands of riders were waiting for buses that never arrived. Every taxi that passed was full. I walked into an icy wind for about 30 blocks, and the only two pay phones I passed were broken. Finally I squeezed into a cab with five strangers and made it home three hours late.

Had this happened on Washington's Metro system—100,000 people stranded all evening—it almost surely would have made the front page of the newspaper I work for, the *Washington Post*. But the fiasco (which turned out to have been caused by a track fire allegedly set by disgruntled transit workers) rated only a three-inch blurb on page B2 of the next day's *New York Times*. It was, quite simply, not news.

How is it possible that a city of such tremendous wealth and energy can, for all but the most fabulously well-to-do, make daily existence so awful? Part of the reason is that

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New York is constantly being squeezed by so many entrenched interests, each determined to protect its special little deal, that even small steps at reform are rendered impossible. "Everybody knows that housing is degenerating, streets are degenerating, schools are degenerating, but nobody wants to give up anything," says George Sternlieb, director of the Center for Urban Policy Research at Rutgers University. "You have 10,000 groups of naysayers and no power structure that can deliver the goods."

New York is, as always, a paradox. While gleaming new skyscrapers fill the air, the public schools have become places of broken windows and broken dreams. While the economy has been booming for five years, affluent professionals must mount degrading searches for tiny apartments or move deep into traffic-clogged suburbs. While the super-rich enjoy the view from Trump Tower, the ranks of the homeless below have swelled to monstrous proportions. Bridges and highways are crumbling. Bizarre crimes have become commonplace. And the racial pot is boiling as never before.

I SAY this as one who grew up here and has always had a love-hate relationship with the city, but also as one who has returned with a new perspective after a decade's residence in Washington. And the city's raw magnetism and ethnic diversity make Washington look as bland as white bread. But the sad truth is that our most fabled metropolis has become an increasingly intolerable place to live, at least as life is normally defined by people beyond the Hudson River.

It's well known that New Yorkers must scratch and claw for the smallest amenities—light, air, closet space, parking space—that other Americans take for granted. Most natives believe such aggravations are outweighed by the excitement of the five boroughs. When J.C. Penney joined a parade of companies moving out of the city last year, Deputy Mayor Alair Townsend said: "When I wake up next year, I will still be in New York and where will they be? They will be in—yuck—Dallas."

Yet only in New York do otherwise rational folks spend hours plotting how to beat the weekend traffic to the Hamptons, or put their children on a bus so they can play soccer, or refine strategies for moving the car each morning (to comply with sadistic alternate-side-of-the-street parking rules). "New York is a marvelous place to be rich in, but the definition of rich keeps moving up," says Sternlieb, a Brooklyn native and former buyer for Bloomingdale's who has fled to Short Hills, New Jersey. Even those in the $200,000-plus brackets, he says, must buy "surrogates" for the normal public amenities. They live in high-security buildings instead of relying on police, put their kids in exclusive private schools, use messengers instead of the mails, take taxis instead of the E train. "Most of us find methods of adjustment to the harshness of life in New York," says Dick Netzer, a New York University urbanologist. "We find ways of living without cars. After a while, you sort of forget life could be any other way. Then visitors come to see you and say, 'How can you live like this?' "

Part of this adjustment is developing a high tolerance for corruption of the sort perfected by Donald Manes, the late Queens borough president. After his 1986 suicide, we learned that Manes had been demanding generous kickbacks on a steady stream of contracts, cable television franchises, and other goodies under his control. He wasn't alone. Former Bronx Democratic boss Stanley Friedman was convicted of arranging more than $1.5 million in bribes on computer contracts. Former Bronx Borough President Stanley Simon has been indicted in the Wedtech mess along with Bronx Representative Mario Biaggi, who was convicted last fall of accepting illegal favors from former Brooklyn Democratic boss Meade Esposito. (Got that so far?) Then there is the saga of ex-Miss America Bess Myerson, the former cultural affairs commissioner, who has been indicted for fixing her millionaire lover's divorce case by hiring the daughter of the presiding judge.

While top officials have been skimming the public cream, corruption has become even more institutionalized at the local level, where it is accepted as a cost of doing business. According to recent indictments, wholesalers must pay extortionate fees to sell their wares at the Fulton Fish Market, asbestos contractors solicit bribes before decontaminating buildings, and most of the parking meter collectors steal large sums of faithfully deposited quarters.

CRIME, like corruption, is a staple of urban life, but the random and brutal nature of violence here is particularly frightening. In the last several months, two innocent bystanders—a 15-year-old girl and a pregnant woman—have been pushed onto the subway tracks by crazed assailants. (Both miraculously survived.) Only in New York does a landlord in a pissant rent dispute hire thugs to slash a model's face with a razor blade. What was ultimately most frightening about the Howard Beach racial attack was the way it unfolded after the blacks' car broke down in Queens, the message being that it could happen to you if you get caught in the "wrong" neighborhood after dark.

It would be comforting to dismiss Michael Griffith's death on the Belt Parkway as an isolated incident, but racial violence here is on the rise. One day a gang of whites attacks two black brothers in Brooklyn with bottles and sticks; the next, four blacks beat up a Polish cabdriver in Manhattan. Several blacks, including a 66-year-old Bronx grandmother, have died in confrontations with white police officers. Others have been arrested on trumped-up "jostling" charges by white subway cops trying to meet arrest quotas.

The old image of New York as a harmonious melting pot has been replaced by a racial prism that magnifies and distorts the perceptions of all sides. Angry whites I interviewed in Howard Beach were convinced that the teenagers involved in Griffith's death were railroaded by reporters and politicians who ignore widespread assaults against whites; people in Bedford-Stuyvesant responded that a black assailant in that situation would have been hanged before he reached the courthouse. Emotions

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peaked in December when several hundred black protesters halted subway service to Brooklyn and all traffic on the Brooklyn Bridge—a reminder both of the depth of racial polarization here and of the ease with which one determined group can shut down the city.

AT THE CENTER of this debate (and virtually every local controversy) is Ed Koch, who personifies the New York paradox. Koch gives voice to middle-class resentments and serves as the city's chief cheerleader and entertainer, yet he can be antagonistic and even downright nasty toward his critics. He has pulled the city out of a fiscal crisis and improved city services over the last decade, but he's also bestowed mammoth and unnecessary tax breaks upon rich developers whose ugly glass towers have made Manhattan still more congested.

Even herculean efforts in New York can amount to nibbling around the edges. Thus Koch and that other noted hometown politician, Governor Mario Cuomo, can fairly say that they have spent more on helping the homeless than any other city in America. Yet New York has 27,000 homeless people living in shelters and sleazy welfare hotels and another 30,000 to 50,000 on the streets, where even the Wall Street bankers cannot avoid them. Koch and Cuomo can say they have spent more than $7 billion fixing up the 84-year-old subway system, and some lines have actually improved from horrible to mediocre. But most of the system remains a noisy, overcrowded, erratic mess, numbing those who must descend into the tunnels each day.

Koch has been able to add more cops, sanitation workers, and so on because the city's economy has been booming for five years. Now, in the wake of Black Monday, the party is clearly over. Koch is freezing municipal hiring, proposing higher taxes, and predicting that the city will lose 39,000 jobs next year. In a perfect metaphor for the city's plight, Koch now has a $500 million hole in his budget because he foolishly counted on revenue from Mortimer Zuckerman's proposed Columbus Circle skyscraper, which may never be built. The behemoth project was halted in part by community outrage over the shadows it would cast on Central Park, and in part because its prime tenant, Salomon Brothers, pulled out when it began laying people off.

The fiscal horizon suddenly looks cloudy because New York's economy is more dependent on Wall Street than anyone previously realized. The securities industry accounted for one in four new jobs here over the last decade. When private-sector payrolls ballooned by $6 billion in 1986, a third of that was due to Wall Street raises. Who do you think buys those million-dollar Fifth Avenue condos and keeps the BMW dealers in business? And it was the bull market that generated thousands of spin-off jobs for lawyers, accountants, advertising agents, computer operators, and secretaries.

Let's look at what happened the last time there was a major drop on the stock market roller coaster. From 1969 to 1975 the number of Wall Street jobs plunged from 105,000 to 67,000. With the big firms already slashing their staffs, a lot of yuppie brokers and their spear carriers are going to be looking for work.

In the meantime, New York's economy has become far less diversified. The city lost 140,000 manufacturing jobs over the last decade, bringing its factory base to a 40-year low. These jobs, mostly in light manufacturing such as apparel or plastics, once provided an entry point for the working classes. Their loss will be felt even more keenly now that New York's ruling pentangle (Irish, Italians, Jews, blacks, and Puerto Ricans) has been joined by wave after wave of new immigrants such as Dominicans, Haitians, Cubans, South Americans, Chinese, Koreans, Israelis, Russian Jews, Greeks, and Poles. Some of these groups have done well (Korean shopkeepers, for example), and others are submerged in the thriving underground economy. But many are in need of unskilled or semiskilled work.

For better or worse, the city's eggs are precariously bunched in the service-sector basket. Having long derided Washington as a town that produces nothing but paper, New York is now more dependent on securities, banking, real estate, and business services than ever before. And as Samuel Ehrenhalt, regional chief of the Bureau of Labor Statistics, points out, in the age of global communication links, it is easier than ever for these companies to pick up and move to (yuck) Dallas or Atlanta or Los Angeles.

While a long list of companies has been abandoning New York as too costly, another dirty secret is out: many executives are refusing to work here in the first place. Homequity Inc., the nation's largest corporate relocation firm, says that four out of ten employees at its client firms are rejecting transfers to New York, primarily because of housing costs. Corporations must give their transferees fat housing allowances and cost-of-living bonuses just to lure them to Manhattan.

I BELIEVE that the housing crisis, which is regional in scope, lies at the root of New York's economic problems. Three thousand dollars a month will get you a small two-bedroom apartment in Manhattan, probably in one of those hideous new high rises with a rooftop health club. (I looked at one where the 36th-floor bedroom was serenaded by honking and screeching from the FDR Drive. Thanks but no thanks.)

Move to the suburbs instead? The average home in Long Island, Westchester County, and much of northern New Jersey now costs $300,000. In Greenwich, Connecticut, it's $520,000. A growing number of people are moving as far as Princeton, New Jersey, and Bucks County, Pennsylvania, where the real estate market is more rational but the daily commute approaches an insane two hours each way. That's a sizable chunk out of your life for the privilege of sitting behind a computer terminal in Manhattan.

All this is enough to make me miss my daily drive to work through Rock Creek Park. Even on a journalist's salary, I was able to scrape together enough money a few years ago to buy a modest three-bedroom house in Northwest Washington for about $150,000. In Queens my family is renting a similar house that's worth more

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than three times as much, a luxury made possible only because of a sizable housing allowance from my employer. Nearly everyone I know here lives in cramped apartments, and most are in awe that I enjoy such rarities as a basement and a small backyard. I know one Manhattan couple, both successful lawyers, who, when they had a third child, had to put up a partition for the baby in the dining room of their two-bedroom co-op. (They decided against moving after becoming eligible for a garage space for a mere $150 a month, opting instead—with

THEN THERE'S RENT CONTROL

New York's legendary "housing shortage" began the day in 1947 when the huge tenant majority convinced the politicians (and eventually the courts) to extend wartime price controls into permanent housing regulation. Since that day, finding a place to live has gradually become the predominating obsession of the average New Yorker. The premise of Tama Janowitz's best-selling *Slaves of New York*—in case you didn't realize it—is that everyone in New York is the slave of their own apartment. No one can flee a drug-infested neighborhood—or even break off with a boyfriend—without facing the terrors of finding another place to live.

Horror stories about apartment hunting are commonplace. Last November the *New York Times* told of a young dance student who spent her first year at Juilliard living in 19 different places—most often sleeping on someone else's couch. There is simply no normal way to find an apartment in Manhattan, even if you have a reasonable amount of money. Everything is a deal within a bribe within a sublet.

One West Side landlord recently told me that he came to his building one Monday morning and found 15 people milling in the lobby. All claimed to have sublet one of his apartments. As it turned out, two young women tenants had gone on vacation. While they were away, a young man had somehow obtained a key to the apartment and advertised it in a West Side newspaper. Within a single weekend he had "sublet" the apartment to eight different people, asking and receiving in each case a $3,000 cash deposit—a cool $24,000 in all. Then he disappeared. The two women tenants claimed to know nothing about it.

"I feel sorry for these young people," the landlord told me. "They come in here every day begging for apartments, but there's nothing I can do. All my apartments are rent controlled—I haven't had a vacancy in years." Surprisingly, he found most of the $3,000 losers philosophical. "They all said they'd been taken before."

What New York's rent control has done is create a privileged class of tenants—probably about 30 percent of the tenant population—who live forever at below-market rents. Meanwhile, everyone else—newcomers to New York, growing families, people who have been burned out of their apartments—is left scrambling for the rented condominiums and illegal sublets that make up New York's available housing market. Naturally, prices on these apartments end up well *above* real market value.

People are always astounded to realize that the *median* rent in New York City is only $365. Chicago has an almost identical median rent—about $350. But the similarity ends there. On Sunday, March 13, for example, the *Chicago Sun Times* advertised 1,300 apartments, mostly in the pricey Loop and North Side areas. The average rent was $590, and 15 percent were below the median. On the same day the *New York Times* advertised 2,600 apartments in all five boroughs. The average price was $1,300, and only one apartment was below the median of $360.

What is happening is obvious. Chicago has a normal housing market, with a vacancy rate of six percent. People come and go as they please, getting what they pay for and paying for what they get. In New York, on the other hand, the prices of 30 percent to 40 percent of all apartments are held below market by rent controls. The tenants in these apartments would nail their feet to the floor before leaving them. Consequently everybody else ends up facing a vacancy rate of two percent, and prices end up 20 to 100 percent above what they would be without rent controls.

As a result, all the struggling young poets and actors who once made up the lifeblood of the city's culture are finding they can't make it anymore. I have yet to meet a newcomer to New York who has been able to find housing without resorting to bribery or family connections. Even corporate giants such as Merrill Lynch and Citibank use the city's mushrooming "roommate-matching" agencies to find temporary lodging for transferring junior executives from Ohio and California.

As in any decaying empire, wit, ambition, and talent are replaced by nepotism, politics, and corruption. William Vanden Hueval, President Carter's ambassador to the United Nations, keeps a spare rent-controlled apartment on East 72nd Street (in addition to his Park Avenue co-op) in order to provide temporary sleeping quarters for recent law school graduates entering his blue-chip firm. (Vanden Hueval's ex-wife, Jean Stein, heir to the MCA fortune, has her own rent-controlled apartment on Central Park West, where she pays $1,250 a month for ten rooms overlooking Central Park.) Even Governor Mario Cuomo's daughter, Maria, spent her first years after college in a "middle-income" public housing project that is notorious as a haven for Queens politicians' daughters.

Other people do what they can. Miriam Lee, owner of a ten-unit townhouse in Greenwich Village, recalls one Sunday night a few years ago when she answered the bell and found a well-dressed man at her door.

"Do you have an elderly tenant named . . . . . ?" he asked.

"Yes, I do," she said.

"Well, I am his doctor. I regret to inform you that he has just died and I would like to inquire about renting his apartment."

WILLIAM TUCKER

William Tucker, a New York writer, is working on a book about homelessness.

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classic Manhattan logic—to buy a car.)

So why do people keep coming? Many are the young hotshots drawn to what Sternlieb calls "the most crowded winner's circle in America," from the law school graduates making $65,000 at Sullivan & Cromwell to the young MBAs peddling junk bonds for Drexel, Burnham. Others are drawn by the incredible opportunities for consumption, from the $39 rack-of-lamb lunch at 21 Club to the $9,000 stuffed pony at F.A.O. Schwarz. But these extravagances wear thin on aging baby boomers as they begin to worry about raising families.

One young mother I interviewed moved to Darien, Connecticut, two years ago when her husband was hired by an executive-recruiting firm in Manhattan. They bought a small house for $275,000, more than twice what they had paid for a far nicer four-bedroom colonial in Rochester. "We have no cash," she told me. "We don't go on vacation. We don't go out very often. Every single day we're in the red."

OF COURSE, skyrocketing real estate prices are no problem if you happen to live in one of New York's 218,000 rent-controlled apartments or 943,000 rent-stabilized units. In that case, you can sit back and watch the overheated market drive up the value of your apartment without threatening your ridiculously low rent. It is, in short, an entitlement program for the haves.

Rent control, born as an emergency program during World War II, covers apartments built before 1947. Landlords must ask the state to grant limited increases for each of their buildings. Rent-control tenants need no leases because they have a statutory right to occupy their coveted apartments, which are legally passed down through the generations. Beneficiaries range from Koch, who has three rooms in Greenwich Village for $350 a month, to fashion designer Arnold Scaasi, who pays $985 a month for a six-room duplex overlooking Central Park. Similar luxury apartments command $5,000 to $6,000 a month on the non-regulated market. Rent-stabilized apartments, those built from 1947 to 1974, are also a wonderful deal for tenants, since rent hikes are limited by annual decree of the Rent Guidelines Board. Last year's increase was three percent.

The arcane rules governing these programs have created a maze of subterranean markets and strategies. Wealthy tenants who left town years ago illegally sublet their apartments at loan-shark rates. Desperate landlords shut off the heat and hire hoodlums to drive out rent-controlled tenants (Donald Trump once offered to put up the homeless in a luxury building to hasten the exodus of his paying tenants, so that he could tear down the joint and build a gold-plated condo). Whole neighborhoods are abandoned en masse, leaving the city with 4,100 squalid buildings that it manages no better than the fleeing slumlords.

The middle-class housing shortage is a complicated puzzle. But even if one could definitively prove that abolishing rent control would open up the market, it will never happen in my lifetime. Three-quarters of all city apartments are under some form of rent control, and the slightest suggestion of tampering with that arrangement is tantamount to political suicide.

New York, in sum, is plagued by what might be called the taxi-medallion problem: too many people with a vested interest in the lopsided distribution of benefits. Anyone who's ever tried to hail a cab at rush hour knows there aren't enough taxis on the streets. But the shortage can't be rectified because 11,787 owners—having paid up to $110,000 for their taxi medallions—are an all-powerful force when it comes to keeping out the competition.

NOWHERE is this institutional resistance to change more dramatic than in the city's decaying public schools, all but abandoned two decades ago by the white middle class. The business community has suddenly woken up to the fact that its future is imperiled by an increasingly illiterate student population, three-quarters of which is black and Hispanic. With six out of ten students failing to graduate from high school after four years, cries of reform have filled the air.

And yet the City of New York, under negotiated contracts, has surrendered physical control of its school buildings to a small custodians union. The 968 janitors are independent contractors who control access to the schools and sometimes refuse to admit students and teachers. Just for deigning to open the doors before 8 a.m. or after 3 p.m., each custodian can legally extract thousands of dollars in "opening fees" from his school. Since every school has a breakfast program beginning at 7:30, the city must pay an extra $2.1 million to the custodians just for this program, although no extra custodial work is generally required.

To make matters worse, no principal has the power to order a custodian to change a light bulb or fix a broken window because (surprise) it's not in the contract. In fact, senior custodians pulling in $62,000 a year earn more than some of the principals. But principals are hardly in a position to complain, since their union contract grants them life tenure and the right to refuse reassignment to another school. It's little wonder that Koch and Cuomo have been utterly frustrated in their attempt to salvage public education.

That this decline has accelerated during a decade when New York came roaring back from near-bankruptcy, a decade that has witnessed an orgy of downtown development and an explosion of freshly minted wealth, only underlines the extent of the paradox. No matter how many corporate-service firms fill the new skyscrapers, if there is no place for their employees to live, no room for them on the subways, no decent schools for their kids, then the future is exceedingly bleak.

For all the daily aggravations, I enjoy the excitement and challenge of living in New York. In that sense I'm no different than anyone else drawn by its municipal magic. The city has shown an uncanny knack for renewing itself ever since it was a Dutch-run trading port, and perhaps its postindustrial incarnation will manage to confound the skeptics again. But I wouldn't bet the rent-control money on it. □

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WHY I LEFT

By way of prologue to a deep, sociological explanation of why my wife and I have decided to leave New York City and take up residence in Washington, D.C. (no one seems to credit the more obvious reasons: two children and three grandchildren), here are a couple of quotations. The first is from an editorial in the *Wall Street Journal*:

> Washington, D.C., is a city in the gutter, wallowing in hypocrisy. It has become a bizarre sinkhole of character assassination and smirking self-righteousness. It will eagerly cast not only the first stone, but any other rocks it can lay its hands on.

The second quotation is from THE NEW REPUBLIC's own Fred Barnes (writing elsewhere):

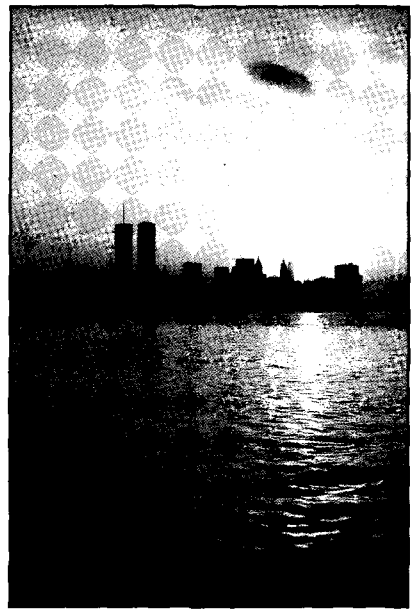
> Washington is increasingly insular, arrogant, elitist, power mad, addicted to luxury and mindless political combat, and, worst of all, downright hostile to the non-Washington masses.

Quite right. One might add Washington's propensity for human sacrifice, in the form of legalized lynchings by Congress of actual or prospective members of the executive or the judiciary. It is a bloodthirsty city, to a degree unknown elsewhere in the United States. Even for a cynical New Yorker, it is shocking.

In New York the ruling passion is the pursuit of money, whereas in Washington it is the pursuit of power. Now, the pursuit of power is a zero-sum game: you acquire power only by taking it away from someone else. The pursuit of money, however, is not a zero-sum game, which is why it is a much more innocent human activity. It is possible to make a lot of money without inflicting economic injury on anyone. Making money may be more sordid than appropriating power—at least it has traditionally been thought to be so—but, as Adam Smith and others pointed out, it is also a far more civil activity.

More civil—but so much less interesting! A financial city is always less interesting than a political city. In New York the ladies come and go, talking of private schools or the ballet. In Washington it is political gossip that enchants—often amazing gossip, though generally false. New York cocktail parties are more likely to be boring, Washington cocktail parties disorienting. But, again, more interesting.

It didn't used to be this way. New York was generally agreed to be the only true cosmopolitan city in the United States, while Washington was a national version of Albany. That was because New York was an intellectual center as well as a financial center, importing ideas from Europe and retailing them nationwide. An intellectual center is a place where "literary intellectuals" congregate. It is a place where a dinner party can become acrimonious over such issues as Freudian analysis, progressive education, abstract expressionism, or the relation of religion to morality. I made this point recently in conversation—and then brought myself up short, as I realized that it had been a long time since I had witnessed any such dinner party. New York is not what it was.



Steve Gottlieb, FPG International

Mind you, New York is still the national center for the arts—painting, dance, music, theater. That is why thousands of young people still flock to the city, braving squalid housing at incredible rents, omnipresent crime, and public transportation that is a daily trauma. Moreover, it will probably remain such a national center for a long while yet, because that is where the money is, and all these arts need generous subsidies as well as affluent consumers. When I say "money," I mean real money as measured by the standards of the financial community. In New York to be classified as a mere millionaire, you need $20 million. To be "rich" you need at least twice that amount. To be "wealthy" you need $100 million. It is astonishing how many New Yorkers fall into these categories.

Moreover, New York remains the nation's media center, where magazines and books are edited and published, and where the TV networks are headquartered. It is considerably more doubtful, however, that this supremacy is secure. Madison Avenue is the linchpin of New York as a media center, and there are powerful centrifugal forces under way in the advertising industry. No one ought to be surprised if, ten years from now, the networks have left New York for a divided existence in Washington (news) and Hollywood (entertainment). *Time* and *Newsweek* probably would be in Washington already if they did not have such large, fixed investments in New York. Sooner or later, they will make the move.

So New York will remain a great city, but a much diminished one. It will still be *the* financial center, since the interlocking structure of Wall Street finance, Wall Street law, and even Wall Street printing services will be hard to duplicate elsewhere. And, as noted, where money is, the arts will follow.

But one thing New York will *not* be: the nation's intellectual center, where "literary intellectuals" live and write and excoriate one another. It ceased being that about 20 years ago. The writers who contribute to the *New York Review of Books*, *Commentary*, even the *New York Times*'s Sunday magazine and book review sections live elsewhere for the most part. Established novelists are published in New York but also live elsewhere, as do our best-known poets and literary critics. Columbia and New York University are still respectable schools, but they have very few famous "intellectuals" on their faculties. That generation is without heirs. There are some survivors. But they do not constitute a community; in fact, they frequently are not on speaking terms with one another.

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The reasons for the decline of New York as an intellectual center are well known. The most important reason, as Russell Jacoby points out in *The Last Intellectuals* (Basic Books), is the national expansion and extraordinary transformation of American universities since 1945. People who would once have gravitated toward the "intellectual community" of New York now pursue graduate degrees and academic tenure. There are jobs and careers available, which did not used to be the case. Indeed, even if you decide not to climb the academic ladder, but succeed in becoming what Jacoby calls a "public intellectual," you will find colleges and universities ready to co-opt you. Irving Howe, Michael Harrington, and I all became professors, rather to our surprise, and without ever having had that intention.

If you want an animated discussion of "large ideas" about God, human destiny, Western civilization, modern art, the future of democracy, etc., you are better served in Cambridge, Massachusetts, or Chicago's Hyde Park than in New York. Greenwich Village today is populated by itinerant consumers of such ideas, and New York's magazines are staffed by upwardly mobile men and women who purvey such ideas. But very few are grappling seriously with those ideas. As the city with the most consumers and the most purveyors, New York retains a semblance of an intellectual center. But the reality is not there.

And Washington? It's certainly not here either, and never has been. To a considerable degree this is because Washington does not have a first-rate university, a sine qua non these days for being an intellectual center. The reasons for this lack are something of a mystery to me. I surmise that it is simply a failure of academic leadership, which has permitted Washington to shape its universities into ancillary institutions. It is hard to think of any other reason. Washington is so handsome a city, so nicely located, that first-rate professors and students should be delighted to come.

Nor can such quasi-academic institutions as the Woodrow Wilson Center, the Library of Congress, or the Smithsonian play a major, active intellectual role by being host to visiting scholars. Just as you cannot revitalize a city center unless you can get middle-class types to *live* there, as against simply shopping there, so you cannot create an intellectual center out of a floating population of scholars, or even "intellectuals."

But there is one area in which Washington *is* an intellectual center, and that is public policy: economic policy, social policy, foreign policy, today even educational policy. This area now is dominated by a wide assortment of social scientists. Precisely because Washington is, for most professional persons most of the time, so attractive and livable a city, every administration leaves behind a geological stratum of such people. By now they constitute an intellectual community that, though limited in its horizons, is active, influential, and (most important) interesting to its members. It is also a community with a high level of civility, in contrast to "political" Washington.

Many such members move out of government into law firms or consulting, waiting for the wheel of fortune to return them to office and power once again. But many of the best and brightest congregate in that extraordinary Washington institution, the "think tank."

The think tank explosion has occurred in the last two decades. The Brookings Institution, the granddaddy of them all, goes back over a half century, but it is only relatively recently that it finds itself one of a crowd. Behind the explosion lies the increasing sophistication of a handful of conservative foundations that, seeing academia and the media addicted to liberalism and worse, decided to establish new citadels in the "war of ideas." They have had such success—with the American Enterprise Institute and the Heritage Foundation, especially—that liberal (and left-of-liberal) foundations have begun to emulate this strategy.

Today Washington seems to give birth to a new think tank every other month or so. And they are no longer staffed exclusively by former officials, but are busy recruiting from academia, the media, and the surviving remnant of New York's once-thriving intellectual community. It is as a recruit from that remnant that I have arrived in Washington from New York, bringing with me the 23-year-old magazine *The Public Interest*, of which I am co-editor.

I am not the first, and will not be the last, to come. In the years ahead, I predict, the Council on Foreign Relations (dragging *Foreign Affairs* along) will arrive. Now that American foreign policy and the State Department no longer have such strong ties with the high-minded "internationalist" element on Wall Street, there is little reason for the council to remain in New York. Wall Street's "old guard," in any case, is a generation that is riding into the sunset, with families that have inherited wealth and social position being replaced by people who are in too hot pursuit of both to bother with foreign policy.

Active controversy over public policy does tend to shade into ideological controversy, which is what animates an intellectual community of the traditional kind. I have attended meetings in Washington that focused on the ideological background and significance of policy issues, meetings that would not have occurred here five or ten years ago. If Washington fails to develop an "intellectual community" in which such forms of discourse are common—and the odds are still against—I shall miss it. On the other hand, I have missed it in New York for quite a while now.

"Political Washington" is indeed capable of being nasty and brutish. But "political Washington" is not the whole of Washington, any more than "Wall Street" is New York. There is in Washington a public policy community of thinkers and writers that is engaging and even influential. All of us, of course, still read the *New York Times* and most of us read the *Wall Street Journal*. New York may not be what it used to be, but we understand that Washington is not yet what it might be.

IRVING KRISTOL

Irving Kristol is co-editor of *The Public Interest* and senior fellow at the American Enterprise Institute.

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STANLEY KAUFFMANN ON FILMS

Acts and Passions

White Mischief
(Columbia)

Vincent
(Illumination Films)

A good deal of talent has gone into *White Mischief*. The cast does a scintillating job of re-creating a society—the nobs of Nairobi in 1940. The director, Michael Radford, though he allows a few odd strokes, deftly weaves the cast's performances into a social fabric. The dialogue is mostly pithy and brisk. Roger Deakins's cinematography gives us Kenyan light and leaf and sea, club dance and dim interior, with discreet richness. Marit Allen's costumes dramatize current modes tellingly. The music by, and arranged by, George Fenton evokes the right saxophony nostalgia. And the stereo sound by Derek Holding is very fine: it's not only crisp—which is not so difficult with pistol shots yet not all that common—it creates planes within a scene, and it evokes a world moving around the periphery of the camera's focus at any moment.

If you scent an antithesis to come, you're right, but perhaps it's not the one you anticipate. *White Mischief* is not a poor film: the talent cited above is not wasted. But after the film grips us for a couple of hours, it leaves us with a puzzling question: Why was it made? "Will he tell us what this show meant?" asks Ophelia at the play. She gets a clearer answer than we get from *White Mischief*.

The screenplay by Radford and Jonathan Gems derives from a book by James Fox, a factual account of a 1941 murder in Kenya (pronounced here in the British style—Keenya). A middle-aged baronet, Sir Jock Broughton, was tried for the murder of the young Earl of Erroll, a notorious—and admired—libertine who was the lover of the young Lady Diana Broughton. Sir Jock was acquitted, but this verdict was expected as the due of an English gent. The case was officially closed, but no more, one might say, than officially. Developments followed.

In the film the case becomes a platform on which a pageant of dissolute Kenyan high society is performed. Blatant adultery is so common that Sir Jock's action seems almost bad form. (If he actually committed the murder. This is strongly alleged, and his ultimate act seems to clinch it, but his guilt is never stated as cold fact.) This society is a procession of the bored who think it noblesse oblige to be bored. Lords and ladies of an empire desperately at war, they persuade themselves that, merely by making sure that their managers maintain their farms and export foods, they are doing their patriotic duty. (Several of these people had been known to Isak Dinesen when she farmed there—especially Erroll and a woman named Alice De Janzé, who had been involved in some shooting of her own.)

Polo, dinners, a soiree around a woman in her bath while her husband chooses who shall sleep with her, transvestite parties, drugs—these are the order of the day and night. After Erroll's death, five or six of his mistresses come to view his body in the morgue, and Alice, who is among them, makes certain that he will go to his grave with his face laved in *odore di femmina*.

Radford has a particularly sure touch with group scenes. He makes the orgies more credible than orgies usually are, partly because these are unimpassioned. (However, the editing throughout is sometimes odd. For instance: the sequence before the credits is limp; later, in a conversation between Diana and Erroll, with crosscutting from face to face, the film suddenly *fades* to him—in the middle of an exchange.) The dialogue has touches of 1930 Noel Coward bright-young-thing now trapped in 1940. Alice, facing the dawn one morning, says, "Oh, God. Another fucking beautiful day."

With one exception (Geraldine Chaplin, who rings false but, luckily, is in a minor role) the actors maintain their conscious posings with arch and sting. The center—moral center for a while, too—is Joss Ackland as Sir Jock, a rich man who is losing both his young wife and his money. Ackland manages to suggest a feeling of fate, as if he himself had contrived his destiny, which doesn't lessen his anguish. Greta Scacchi gives her best performance to date as Diana, attractively empty-headed but with her own sense of honor and of horror. Charles Dance, best remembered as Meryl Streep's husband in *Plenty*, outdoes himself as Erroll, the Don Juan of Nairobi. He looks radiant, performs skillfully, and reveals previously unsuspected personality. Sarah Miles, as Alice, takes nonchalance toward life as far as it can go, like an amused passenger on a falling plane. Trevor Howard makes us mourn his passing even more with his gruff yet warm portrayal of an old friend of Sir Jock's.

And there's a trenchant performance by the invaluable John Hurt, who, among other roles, was the Elephant Man in that film and was Winston Smith in *1984* (also directed by Radford). He plays an eccentric, taciturn cattle farmer, said to be the richest man in Kenya, also said to have "gone native."

FILMS WORTH SEEING

Distant Harmony. Documentary about Luciano Pavarotti's 1986 tour of mainland China. The integration of two cultures is factitious but pleasant while it lasts—although the tenor looks even more Falstaffian among the lean Chinese. (Reviewed 3/21/88)

Housekeeping. A mythical drama of hemmed-in American frontier spirit, conveyed in a delicate comedy set in the Northwest. Excellent. (1/18/88)

A Month in the Country. More sensitive directing would have helped. Still, this English drama of two young veterans of the First War, recovering in the countryside, has some depth. (3/7/88)

The Unbearable Lightness of Being. Exceptional actors do their best to compensate for everything of Kundera's plummy novel that has been stripped away. (2/29/88)

SK

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With very little dialogue, Hurt creates a man of sensibility and quiet strength, with a force that differs from the predominantly vulnerable appeal he has shown before.

Hurt's huge farm, even his house, teems with Masai. Two Masai men, armed with spears, accompany him everywhere in his rattletrap car. He considers the Masai "the best people on earth." At any rate, the Masai, as they move or don't move, are the most beautiful elements in this film.

But after *White Mischief* is over, what have we seen? The (possible) solution of a crime no one can care much about here and now. A tale of adultery and murder distinguished from ten thousand others only by its setting. A *danse macabre* of etiolated people. Good but not enough. All that the film finally conveys is that rank and wealth are increasingly debilitating for aristocrats when they have decreasing sway. Sheridan's fops and their ladies could at least persuade themselves that they were maintaining standards of dress and behavior for those beneath them; these Kenyans are abstract and null. But that seems a small, familiar point to repay all the intelligence and craft that went into *White Mischief*.

The closest the film comes to a theme is in its very last shot. A cocktail party is being held in a cemetery at a new grave, by request of the deceased. The camera closes in on a white-jacketed native boy bearing a cocktail tray. He looks at the perverse revelers impassively. But, especially because it *is* the last shot, it carries portents.

John Hurt is also audible, though not visible, in *Vincent: The Life and Death of Vincent van Gogh* (shown in New York at the Film Forum). The Australian director Paul Cox, author of the unforgettable *My First Wife*, is Dutch-born and has made a quasi-documentary about his fellow Dutchman. But he has chosen a strange way to go about it.

For a while, Cox does well. As Hurt reads excerpts from Vincent's letters to his brother Theo, Cox presents images of landscape and locale—his own cinematography—that seem a visual counterpoint to the pilgrim's progress recounted in the letters. When some of the early drawings are shown, they add another harmony. Then Cox begins to introduce re-enactments: an alley with prostitutes, a family sitting down to supper to become the Potato Eaters, and so on. This procedure lowers the imaginative level of the film and makes it something like a teaching tool for high schools.

Nonetheless van Gogh triumphs, less through his painting, of which we see considerable, than through his writing. Hurt's exquisite reading makes us realize again how wonderful Vincent's letters are, tragic when they grapple with immensities, poignant sometimes in sheer simplicity. ("How lovely yellow is.") This is an anomalous film: though the interest varies in what we see, what we hear is always excellent.

HERBERT MUSCHAMP ON ARCHITECTURE

The Breached Wall

About a year ago, Paul Byard, a vice president of the Architectural League in New York, published an op-ed piece in the *New York Times* decrying the withering away of social idealism in the architectural profession. "These are disquieting times for architects in New York," Byard began on a note of understatement:

> The curious, conflicted historicism of much of our new work, our confused search for validation in publicity and chic, our exceptional readiness to promote and decorate projects that by ordinary standards should not be built at all—these are signs of a pervasive trouble. They are symptoms of an unconcealable lack of principle and purpose that is close to embarrassing.

Close to? Come on, now: architects have been struggling with a serious image problem for some time. They may not occupy the Satan roles in which we have cast their clients—the Trumps, the Helmsleys, and other real estate developers who have turned New York into our leading fairground for championship rich-bashing. But in a way the architect's image is even worse. As Byard suggested, architects have been coming across as Satan's decorators, hired flunkies re-

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tained to outfit this hell with a bit of dash. And the truth is that what may be most embarrassing by today's standards is not the architects' lack of principle; it is their lack of whatever black magic it takes to transmute unprincipled behavior into *The Art of the Deal*.

Byard's article went on to sketch a depressing saga of the rise and fall of the ideal of building for socially constructive purposes. The 1980s, in his view, have marked the end of a "50-year cycle in the history of building in America and in New York":

> From at least the early 1930s to the present decade, the building process was inspired in significant part by evolving visions of large-scale physical change undertaken for powerful reasons that were felt to be moral. Developers and architects, led by government's injection of both resources and a commitment to higher goals into the development process, combined their individual interests in projects intended to bring about significant human and environmental reforms . . . housing for the poor, housing for middle-income families, schools, parks, parkways, pools, and a host of other reformist buildings.

What brought down the curtain on this Golden Age? It was, Byard wrote, "the municipal fiscal crisis of the 1970s, [which] seemed to justify the sale of city land to make money and to encourage the inflation of the value of that land by inflating its zoning size." Ever since the city's fiscal recovery a few years later, architects—members of "a profession that is ethical at its core"—have been floundering around "without demand for our vision or our solutions," reduced to creating "demoralizing 'decotecture' for the fashion pages."

IN A SEASON as festively lit as this one has been by well-stoked bonfires of the vanities, architects can be proud that a Savonarola from their own ranks was kindling his flame some months before Black Monday set off the general conflagration. Yet I confess that my initial reaction to Byard's sermon was of a piece with the cynicism he was trying to diagnose. Without a real Howard Rouark to set out sticks of dynamite, where, I wondered, was all this professional soul-searching going to lead, except maybe to business as usual with a slightly clearer conscience? After all, nobody has been forcing architects to create these designer tax shelters. As Frank Lloyd Wright once reminded a group of students, the architect unhappy with client demands can always Just Say No.

I didn't doubt Byard's sincerity, but I was skeptical about the power of his argument to affect the status quo, particularly since his view of the problem rested on a dubious historical premise. Yes, 50 years ago New York did lead the way in the use of architecture for socially progressive ends. And yes, at about the same time American architects embraced the Modern movement's idealistic program of architecture and urban design. But these two developments do not belong to a single history; they arose from separate visions, each unfolding according to its own internal logic. The first vision was predominantly social, a vision in which "reformist buildings" were among a range of means employed toward the end of New Deal social reform. The second was a predominantly architectural vision, in which architectural reform was less a means than an end in itself.

THESE TWO developments did not, of course, unfold in total isolation from each other; the glowing record of civic building recalled by Byard was to some extent an outcome of the interaction between them. But the reasons for the decline of socially progressive architecture do not lie in the history of socially progressive politics. These reasons long predate the fiscal crisis of the 1970s. Their roots extend back to the 1930s, the decade when Modern architecture made its first appearance on American soil. This was a pivotal moment in Modernism's history, a time when Modern forms began to be drained of their social content and rendered into elements of style. In the International Style exhibition organized by Philip Johnson and Henry-Russell Hitchcock at the Museum of Modern Art in 1932, the curators were at pains to conceal the socialist ideology informing much of the work on display. Their goal, after all, was to promote what they were calling the most important style of architecture to emerge since the Middle Ages. Their strategy was to establish architecture as high art, on a level with the cathedrals, not to scare away potential patrons with intimations of Karl Marx and Rosa Luxemburg.

Byard's 50-year cycle of idealistic building was thus, at the same time, a period of mounting disillusionment with the capacity of Modern architecture to embody progressive social ideals. Long before Tom Wolfe began ridiculing American CEOs for permitting their architects to replace the opulent corporate image of the past with the stripped-down look of "workers housing," critics were challenging the moral authority of an aesthetic that lent itself far more congenially to the travertine treatment on Park Avenue than to the regulation issue of subsidizing housing. The most influential of these challenges was mounted by Jane Jacobs in 1960, in *The Death and Life of Great American Cities*. To Jacobs, the Modern "reformist building" signified not the social idealism of architects, but rather their overbearing arrogance. "Like a great, visible ego," Jacobs wrote, "an imitation Le Corbusier shouts, 'Look what I have made!' "

IN THE two decades that followed Jacobs's blast, architects were increasingly unwilling to suspend their disbelief in Modernism's commitment to social change. But what were the alternatives? In his "critical history" of Modern architecture, Kenneth Frampton observed that one of the most notable developments since the 1960s was that "many of [the profession's] more intelligent members have abandoned traditional practice, either to resort to direct social action or to indulge in the projection of architecture as a form of art." Thus, on the one hand, "advocacy" architects such as Robert Goodman opened up storefront offices to help communities prevent large-scale "reformist buildings" from reforming their neighborhoods out of existence. And architects like Michael Graves, on the other hand, began investigating issues of form and meaning as a way of freeing architecture from a moribund "vision" whose essential features had been worked out in the 1920s. In both cases, architects were pursuing paths they took to be culturally progressive. Their reasons for relinquishing the Modern vision were scarcely less moral than the reasons that had once persuaded architects to embrace it.

The abandonment of traditional practice by the profession's emerging talents did not result, of course, in the collapse of traditional practice. Its effect, predictably, was to deliver that practice into the hands of lesser, or at least less progressively minded, talents, and into the hands of clients oblivious to the news that talented architects weren't designing buildings any more. And for all its emphasis on renewed morality, the position Byard took in his article was itself symptomatic of this state of default. Why mourn the morality of an architecture that followed

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the initiative of government? If it is possible to speak of Modern architecture as a moral vision, it is because Modern architects claimed for themselves the responsibility to initiate reform.

AS IT turned out, happily, this was not Byard's final word. Last June, in cooperation with the city's Department of Housing Preservation and Development, the Architectural League sent out a call for architects to come up with innovative designs for low-cost housing. Each architect was asked to develop plans for one of ten model sites, tiny neighborhood lots typical of thousands of city-owned properties that are considered too small to sustain economically feasible development. Project guidelines encouraged targeting proposals to specific "use groups," such as the elderly, the homeless, the handicapped. Seventy teams of architects, mostly designers in their 30s, responded to the invitation. Their work went on public view last fall in an exhibition called "Vacant Lots." (It will be published by the League in a catalog, due in April.) Some of the teams, meanwhile, have been meeting with government officials, social welfare agencies, and private developers in an effort to get their projects built.

"Vacant Lots" was a heartening antidote, if not to the recent wave of overbuilding then at least to the cynicism and despair it has engendered. While the stated purpose of the show was to reinvigorate housing, its real subject was the reinvigoration of idealism. What form can idealism take for architects who remain as deeply skeptical of utopianism as they are embarrassed by venality? Small, local forms, this show proposed, forms that envision progress not as the complete overhaul of the physical world but on the scale of daily life, the "Jacobsian" scale on which it is pointless to speak of idealism if you are the sort of person who resents making contact with the neighbors.

At the heart of the show was a paradox: architects were asked to design practical solutions for real sites, as though a contractor were waiting to translate their drawings into buildings. To go along with this premise, however, was to produce architectural fiction; there were, after all, no cement mixers waiting to move onto the sites, no bulldozers, no city officials standing by with contracts and work permits. Many of the architects simply ignored the paradox and produced painstakingly practical, bare-bones designs, fully costed out, in strict conformity with zoning regulations, devoid of any stylistic flourishes that might scare off a city bureaucrat. Others took the position that, given the odds of roughly seven proposals per site and no philanthropist waiting in the wings, it was more "realistic" to assume that these projects would never get off the drawing board. For these architects, the drawing itself became the medium to communicate a message on the exhibition's theme.

In some of these projects, Frampton's polarity between "art" architecture and social action collapsed into a form of agitprop poster architecture. Yann Andre Leroy's project, for example, flattened the "building" (its forms inspired by those of early Soviet Constructivists) into a backdrop for a graphically depicted scene of urban brutality: a group of New York City cops, looming like storm troopers, surround the body of a fallen victim—of racial attack? mugging? overdose? hypothermia? The drawing's polemic force lay in its inversion of the classic "artist's rendering" of new civic projects, in which cheerful citizens are depicted radiant with the joy that the building has brought into their lives. Leroy's drawing is a warning

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against raising utopian expectations.

But it was Gustavo Bonevardi and Lee Ledbetter's project for housing homeless people with AIDS, one of the "practical" designs, that offered a good case study in the problems and the opportunities generated by the show as a whole. The architects conceived the building as the prototype for a projected network of facilities to be built at various sites throughout the city, a system that would allow people with AIDS to continue to live in or near their own neighborhoods, instead of dispatching them to a hospital. Each of these residences would house up to 12 people, in private rooms, with balconies overlooking a rear garden. Common rooms and offices for nursing staff would face the street; the front part of the building containing these rooms could be modified in size, proportion, and materials to adopt the neighborhood's existing architectural context.

Rational, modular, crisply Modern, the design looked at first glance as unprepossessing as the graphics on generic supermarket packaging. It was the title of the project that delivered the initial jolt—the kind of jolt you instinctively ward off with humor. Homeless people with AIDS? Wasn't that taking the idea of special "use groups" to the point of comic overkill, like *Vampire Lesbians of Sodom*? But the problem is no laughing matter; in fact, just around the corner from the theater where *Vampire Lesbians* is regaling audiences for its "3rd Laff Year," a man sat sprawled on the sidewalk for two days last winter, a hand-lettered sign between his knees introducing him to passers-by as a "Homeless PWA." City officials estimate that there are 400 homeless PWAs in New York: people who can no longer work and pay rent, people who've been thrown out by their partners, people without families to go home to.

THOUGH THE problem is real and the solution practical, Bonevardi and Ledbetter's design was perhaps no more "realistic" than the impractically visionary projects in the "Vacant Lots" show. Given the glacial speed with which city projects come into being, it may be more realistic to hope that researchers will develop effective treatments for AIDS years before this building would open its doors. Additional delays would no doubt arise from the kind of community resistance encountered by private physicians who treat AIDS outpatients. Moreover, the city already provides rent stipends and home care services for PWAs, and these services, rather than architecture, may be the most effective way to address the problem the architects set for themselves.

But there is more than one way to be practical. Suppose you are an architect. If you live in New York, there's a good chance that you know more than one person who is sick with AIDS or has already died. You also know that AIDS is not only a disease but a cultural crisis, a crisis of faith in our power and will to solve problems and even to recognize them. So what are you going to do about it? You can perform the acts of any conscientious citizen: write your congressman, make out a check. That may be enough, but what if it isn't? Your work is what defines the shape of the place you occupy in the cultural scheme of things. It is that place you want to dedicate to the resolution of this crisis.

THERE WAS a hush in the room when Bonevardi, Ledbetter, and their consultants got up to present their work at an evening forum sponsored by the League last November. Perhaps it was because the PA system was bad that night; but there may also have been a collective recognition that this presentation marked an important moment in architecture. Two architects, acting on their own initiative, had stood up and asserted the obligation of their art to address a critical area of their lives. The considerable work devoted to this project—the consultation with planners, psychologists, doctors, social workers, hospice specialists, the hours at the drawing board—had all gone into the articulation of this demand. The demand by itself could not resolve the crisis it addressed: it could not, on paper, house one person with AIDS, much less cure him. But neither was this a private fantasy with no power to affect the world of practical reality. It dealt concretely with an aspect of the suffering to which people with AIDS are subject.

Those whose lives have been affected by this disease live in a separate world, a world that is collapsing, while the world outside, the world now called euphemistically "the general population," a world to which one belonged only yesterday, goes about its business. To inhabit this separate world, to live behind this wall, is to witness one's suffering converted into issues, one's hope for survival into the material that furnishes the others with their posters, their news, their columns, their opinion polls. The strength of Bonevardi and Ledbetter's design lay in symbolically breaking through this thickening wall of stigma, reminding us, as Poe did, of the moral doom invited by those who imagine themselves protected by such walls. The architects offered their response on a practical, not a metaphorical, level; yet the breached wall can stand as a metaphor for what the "Vacant Lots" show achieved. The architects of all the projects were saying that they too are trapped by the walls of privilege they have been designing, walled up alive by their own projections of Top Dog values.

THIS IS scarcely the first time architects have been caught in this trap. Architecture has traditionally been the art of making privilege visible, which is why angry mobs attack palaces: the Bourbons', the Romanovs', Marcos's, Trump's. Attacking walls is one of the most potent symbolic forms we use to renegotiate the social contract. The difference today is that Modernism was thought to have delivered architects from the contract that once firmly bound them to the privileged client; the Modern contract made architects responsible for initiating visions from which the forms of buildings would ultimately arise.

"Go away! We don't want your yuppie high rise!" To judge from the graffiti scrawled on the construction fences surrounding new building sites, the vacant lot in the city is itself a symbol, in many neighborhoods, of a community's determination to control its own destiny. The "Vacant Lots" show was the architecture community's version of those angry painted messages. Many architects, it turns out, don't want their own high rises either. They're fed up with hanging balconies off a 40-story box and calling it a dream come true. They are tired of seeing "quality architecture" billed as a luxury amenity, up there with 24-hour concierge service and the rooftop health club. Well, we may say, isn't that a shame. We don't want your yuppie mea culpas. We don't want idealism to be just another appetizing item on the grazing menu at the grand café. How is the architecture community's collective frustration going to house a single person? The answer is that it won't. But without recognizing and voicing that frustration there is little hope that architects can resume responsibility for breathing life into ideals. □

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TAKING PHILOSOPHY SERIOUSLY

Heidegger et le Nazisme
by Victor Farias

(Editions Verdier, 335 pp., 125F)

At the beginning of 1933, Martin Heidegger was the most admired and celebrated philosopher in Germany, a country that takes its philosophers seriously. Hitler became chancellor on January 30 of that year. The young Leo Lowenthal, and a lot of other politically active Jewish academics, did not go home on the night of the 30th. Lowenthal walked the streets until he could board an early morning train across the frontier. By February 21 Thomas Mann had left the country, and by March 21 Friedrich Ebert (the first chancellor of post-World War I Germany) was in a concentration camp. On April 7 all Jews were expelled from the civil service (which included all professorial positions in the German universities). On April 16 a Social Democrat who had been elected to the post the previous year was installed as rector (chief administrative officer) of the University of Freiburg. He was quickly dismissed, by order of the Nazi authorities. Heidegger accepted election as his successor on April 22.

Heidegger joined the Nazi party on May 1. On May 26 he addressed a rally in memory of a proto-Nazi, Albert Schlageter, who had just been named "the first National Socialist German soldier." Schlageter, Heidegger told the students, had drawn strength for his martyrdom from the granite of the Black Forest landscape, the landscape in which Heidegger himself had grown up. On May 27 he delivered his inaugural address as rector: "The Self-determination of the German University." Self-determination, in the sense in which Heidegger used the term, had nothing to do with "academic freedom," a notion Heidegger mentioned only in order to sneer at it. He defined self-determination as "the university's primordial and communal will to attain its own essence," and as "the will to *Wissenschaft* [roughly: science and scholarship], conceived of as the will to carry out the historical and spiritual mission of the German people, a people that achieves self-consciousness through its State."

A principal concern of the rectorial address was to reject the cosmopolitan, universalistic overtones of the word *Wissenschaft*. Another was to emphasize the unity of *Wissenschaft* and the role of the philosopher as the person who grasps this unity: "All *Wissenschaft* is philosophy," Heidegger said, "whether it wants to be or not." Hitler and the Nazis are not mentioned in the rectorial address, although there are a lot of passages that the Nazi students would have misheard as echoes of their own rhetoric: for example, "The German students are on the march. They seek leaders through whom their own commitment to grounded truth will be exalted." The Nazis would have misheard because the sort of leader Heidegger had in mind in his constantly repeated invocation of "the leaders and protectors of the destiny of the German people" was not Hitler, but himself. The rectorial address puts forward, in entire seriousness, the claim that only Heideggerian philosophy can bring the universities into the service of this destiny. One cannot exaggerate the degree to which Heidegger took philosophy, and himself, seriously.

For the rest of 1933 Heidegger fought like a tiger to become the official philosopher, the intellectual leader, of the National Socialist movement. His dream was to become head of a governmental body that would first reorganize, and then control, all the German universities. His big idea was to combine university study with lots of hiking, camping, ROTC-style drills, and WPA-type work in the forests (and also with a lot of teaching in adult education courses, getting the new national spirit across to the non-academics). He wanted to bring the future leaders and protectors of the destiny of the German people back to the rootedness in landscape (the granite, the forests, the mountain trails) that the ancient Greeks had once enjoyed.

Thanks to Christianity and modern science—two phenomena that Heidegger distrusted almost equally because they had contributed to "the forgetfulness of Being"—the modern world had lost this rootedness. But the Nazi movement was a chance to regain it. In the manner of the Southern Agrarians of the '30s, who explained that those who had never

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gone coon hunting could not grasp the "organic" (albeit racially segregated) character of Deep South society, Heidegger explained that the rootless, cosmopolitan, academic mandarins whom he hoped to depose were out of touch with "the real Germany." A good old boy from the Black Forest, who was also the leading philosopher of Europe and the incarnation of pre-Socratic "primordial essentiality," was the obvious candidate for the spiritual leadership of Germany.

HEIDEGGER GAVE this effort his best shot. In the course of 1933 he was all over the place, making speeches to gatherings of his fellow scholars and to student rallies, writing memoranda to government authorities and articles for the press. In November, in an uncharacteristically self-abnegatory article in the Freiburg student newspaper, he concluded, "Do not let principles and 'ideas' be the rules of your life. The Führer himself, he alone, is the German reality of today and of the future. He is the law of that reality.... Heil Hitler!" In December he was helping to organize the publication in five languages of a volume that would show the scholars of other countries that German *Wissenschaft* was united behind Hitler.

By early 1934, however, it was all over. Heidegger found himself outflanked by lesser men—philosophy professors who were more cunning, better connected, more willing to lick boots and to bait Jews. Hikes in the mountains, combined with stirring talk about the pre-Socratics around the evening campfire, seemed to harder heads an unlikely basis on which to reorganize the German university system. Also, although Heidegger had dutifully enforced most of the anti-Jewish regulations sent down from the Ministry of Culture, he had made a fuss about a few of them, and this gave ammunition to his rivals. In February Heidegger stepped down from his rectorship, into political obscurity. The dream was dreamt out.

Eleven years later, when World War II was over, Heidegger was whitewashed by the University of Freiburg de-Nazification commission, but still forbidden to lecture by the French military occupation authorities. This helped him to pretend to a sort of martyrdom (the good, gray, sadly muzzled teacher) and helped set the stage for the claim, by his disciples, that the year-long "Nazi episode" had been an unfortunate mistake, which told little about Heidegger's philosophy or his character.

Heidegger himself heartily endorsed this view in an interview he gave in 1969 (published after his death in 1976). In that interview, which he intended to be his only, definitive statement on the matter, he explained that he had mistakenly and briefly been convinced that the Nazis were Germany's only hope. He refrained, however, from any expression of regret concerning his allegiance to them. He spoke of his extravagant praise of Hitler as a necessary "compromise." Neither there nor elsewhere did he make reference to the Holocaust, but instead spent considerable time complaining about having himself been, after 1934, harassed by Nazi functionaries. When asked about the deletion of the dedication to Husserl (Heidegger's former patron and friend) from some of the editions of *Being and Time* published under the Nazis, Heidegger seemed to think it obvious that he had behaved sensibly by deleting a dedication to a Jew rather than letting his book go out of print.

That interview did great harm to Heidegger's reputation, not least because he stupidly thought it would do good. Harm had also been done earlier by the republication (by Guido Schneeberger, in 1962) of various documents he had written in 1933, including the tribute to Hitler cited above. But his disciples and admirers continued to insist that Heidegger was basically a man of good character, as well as a profoundly original and important thinker. They tried to portray him as a man whose vision of a redeemed, re-Hellenized Germany blinded him to certain political realities—as a man whose mind was elsewhere, who did not notice things he should have noticed.

VICTOR FARIAS'S book should put an end to all such attempts. The book makes perfectly clear that, as a human being, Heidegger was a rather nasty piece of work—a coward and a liar, pretty much from first to last. Farias, a teacher of philosophy in Berlin, put in years of work digging up dirt about Heidegger from various obscure government archives and collections of letters. He found a lot, enough to paint a picture that makes plain how utterly disingenuous Heidegger's public statements on the topic were, enough to explain why the Heidegger family has refused to let Heidegger's letters be read until the middle of the next century.

There is doubtless a lot more incriminating evidence to be found, not only in those letters but, closer to hand, in the archives of the University of Freiburg for the Nazi years—archives that, shamefully, are still closed to scholars. In the meantime, Farias has given us a good sketch of what happened. His book includes more concrete information relevant to Heidegger's relations with the Nazis than anything else available, and it is an excellent antidote to the evasive apologetics that are still being published. (The book appeared first in French because Farias was initially unable to find a German publisher. Fisher Verlag has now taken on the job, and it is to be hoped that their German edition, and an English translation, will appear shortly. Both, incidentally, would benefit from enlarged footnotes; Farias's references are sometimes too sparse to help one run down what exactly is being cited.)

WHY SHOULD anyone care whether Heidegger was a self-deceptive egomaniac? A good reason for caring about such matters is that the details about the attitudes of German intellectuals toward the Holocaust are important for our own moral education. It pays to realize that the vast majority of German academics, including some of the best and brightest, turned a blind eye to the fate of their Jewish colleagues, and to ask whether we ourselves might not be capable of the same sort of behavior.

A bad reason for caring is the notion that learning about a philosopher's moral character helps one evaluate his philosophy. It does not, any more than our knowledge of Einstein's character helps us evaluate his physics. You can be a great, original, and profound artist or thinker, and also a complete bastard. Van Gogh, Keats, and Einstein were nice guys; Wagner, Milton, and Newton were not. Among philosophers, Bertrand Russell was a decent (if sometimes ducally arrogant) man, but he got most of his good ideas (as opposed to his bad, British empiricist ones) from the great founder of formal semantics and mathematical logic, Gottlob Frege, a vicious anti-Semite and proto-Nazi. Paul Tillich talked the same jargon of "authenticity" that Heidegger had used in *Being and Time*, yet Tillich was an honest man and a good Social Democrat, and prudently scarpered, on Lowenthal's heels, in 1933.

There is no way to correlate moral virtue with philosophical importance or philosophical doctrine. Being an original philosopher (and Heidegger was as origi-

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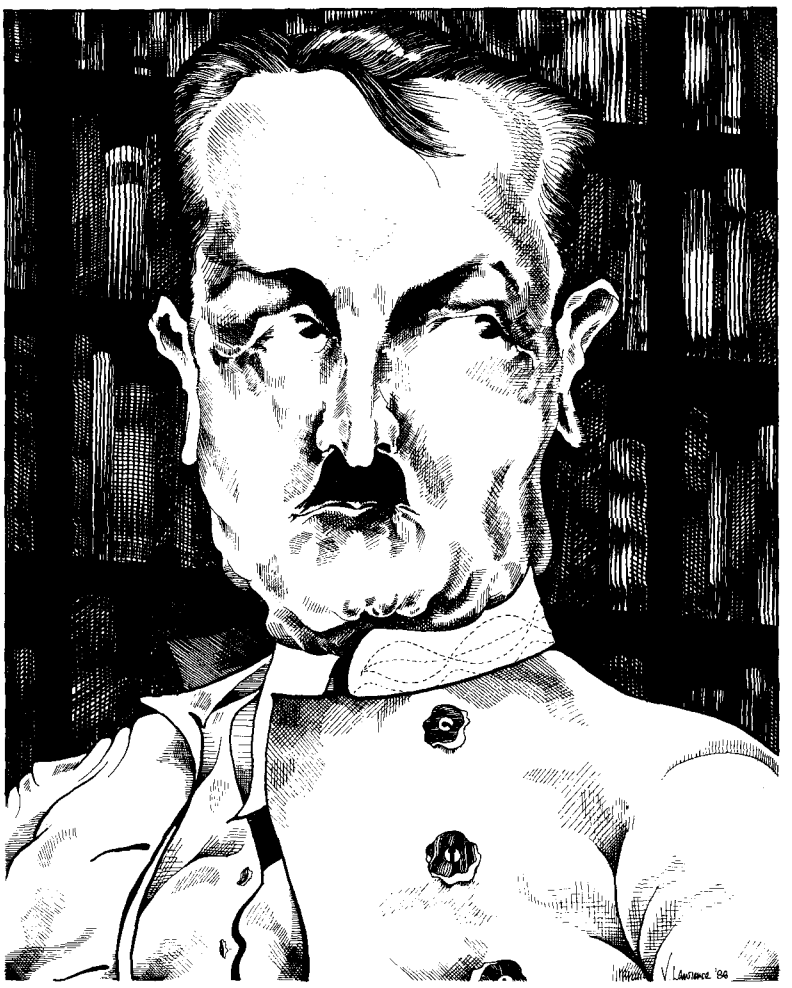
nal a philosopher as we have had in this century) is like being an original mathematician or an original microbiologist or a consummate chess master: it is the result of some neural kink that occurs independently of other kinks. The only reason we think that good moral character is more important for professors of philosophy than for professors of other subjects is that we often use "philosopher" as the name of an ideal human being: one who perfectly unites wisdom and kindness, insight and decency. All of us, perhaps, unconsciously hope to find such a guru—someone who will be everything our parents were not. But "philosopher" is not the right name for this ideal. That name has been appropriated for other purposes, to name the people who write about, for example, Plato, Aristotle, Kant, and Hegel, or about the issues these men discussed. In this latter sense, Frege and Heidegger were equally great and original philosophers (though the issues they discussed were very different). That greatness is unsullied by their moral indecency.

Still, even if we grant that philosophical talent and moral character swing free of each other, it is tempting to think that we can classify philosophies by reference to the moral or political message they convey. Many people think that there is something intrinsically fascistic about the thought of Nietzsche and Heidegger, and are suspicious of Derrida and Foucault because they owe so much to these earlier figures. On this view, fascism is associated with "irrationalism," and a decent democratic outlook with "confidence in reason." Aristotle's casual acceptance of slavery as natural and proper is taken to be central to his moral outlook; Heidegger's blood-and-soil rhetoric is taken to be central to his "history of Being"; Nietzsche's elitist swaggering is taken as central to his ethic of self-creation; "deconstruction" is condemned on the basis of the young Paul de Man's opportunistic anti-Semitism.

Such attempts to simplify the thought of original thinkers by reducing them to moral or political attitudes should be avoided, just as we should avoid thinking of Hemingway as simply a bully, of Proust as simply a sissy, of Pound as simply a lunatic, of Kipling as simply an imperialist. Labels like "irrationalist" or "aesthete" are of no use when dealing with authors of the complexity and originality of a Heidegger or a Proust. They are merely excuses for not reading them.



MARTIN HEIDEGGER BY VINT LAWRENCE FOR THE NEW REPUBLIC

"Irrationalism," for example, has been diagnosed in everybody from William of Ockham to William James. As it happens, James was as decent a man as ever gave a philosophy lecture, as well as being Whitman's heir in the visionary tradition of American democracy. Yet that did not prevent Julien Benda (the Allan Bloom of the 1910s) from including James in his list of treasonous clerks—the people who were undermining the moral fabric of our civilization. (Heidegger and James shared the same doubts about traditional philosophical accounts of Reason and Truth—the sort of doubt that Benda found intolerable—despite having no political hopes in common.) Karl Popper, in *The Open Society and Its Enemies*, did a good job of showing how passages in Plato, Hegel, and Marx could be taken to justify Hitlerian or Leninist takeovers, but to make his case he had to leave out 90 percent of each man's thought. Such attempts to reduce a philosopher's thought to his possible moral or political influence are as pointless as the attempt to view Socrates as an apologist for Critias, or Jesus as just one more charismatic kook. Jesus was indeed, among other things, a charismatic kook, and Heidegger was, among other things, an egomaniacal, anti-Semitic redneck. But we have gotten a lot out of the Gospels, and I suspect that philosophers for centuries to come will be getting a lot out of Heidegger's original and powerful narrative of the movement of Western thought from Plato to Nietzsche.

If there is something anti-democratic in Christianity, or Islam, or Platonism, or Marxism, or Heideggerianism, or "deconstruction," it is not any particular doctrine about the nature of Man or Reason or History, but simply the tendency to take either religion or philosophy too seriously. This is the tendency toward fundamentalism, the assumption that anybody who disagrees with some given religious or philosophical doctrine is a danger to democratic society. No specific doctrine is much of a danger, but the idea that democracy depends on adhesion to some such doctrine is.

John Rawls, in *A Theory of Justice*, takes religious toleration as paradigmatic for a democratic political outlook: insofar as people can manage to treat their Catholic, Mormon, or atheist neighbors as full-fledged fellow citizens, insofar as they can privatize their own and others' religious beliefs, a pluralist society becomes a real possibility. More recently Rawls has suggested that democratic social the-

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ory should develop the same sort of tolerance for alternative philosophical doctrines—for example, toward such secular accounts of the point of human life as those offered by Aristotle, Spinoza, Baudelaire, Nietzsche, Proust, Hemingway, or Heidegger. As Rawls puts it, democratic social theory should "stay on the surface, philosophically speaking." It should stop looking for philosophical "foundations" of democracy. It should content itself with articulating the moral sensibility that enables us to be fair to people with whom we have little in common, rather than trying to ground that sensibility on something more basic.

This Rawlsian attitude is the diametrical opposite of Heidegger's. Heidegger thought that the scientific, cultural, and political life of a society was simply the working-out of a set of ideas that some great philosopher had formulated. He believed that not only all *Wissenschaft* but all significant human activity was philosophy, whether it knew it or not. He carried over into philosophy the attitude characteristic of religious prophets: that their own voice is the voice of some greater power (God, Reason, History, Being), a power that is about to make all things new, to bring on a new age of the world.

Such an attitude on the part of the prophets leads their natural followers—the people who take the idea of "essence" or "foundation" seriously—to the adoration that many Shiites have for Khomeini and many Marxists have had for Lenin. Such people worry about the "authentic interpretation" of their guru's words, about whether they have caught "the essence" of his thought. Conversely, they see their guru's competitors as false prophets (Antichrist, The Great Satan, Goldstein, the Philosopher of Fascism, the Apologist for Bourgeois Ideology). The works of those competitors are to be burned, or mocked, or ignored, but certainly not studied.

The contrasting view is to assume that the works of anybody whose mind was complex enough to make his or her books worth reading will not have an "essence," that those books will admit of a fruitful diversity of interpretations, that the quest for "an authentic reading" is pointless. One will assume that the author was as mixed-up as the rest of us, and that our job is to pull out, from the tangle we find on the pages, some lines of thought that might turn out to be useful for our own purposes. This attitude toward books is an extension of the sort of pluralistic tolerance that Rawls thinks basic to the theory, as well as to the practice, of democracy. If one adopts it, one will not think of Heidegger as a symbol of something wonderful or of something terrible, but as one more original and interesting writer, as one more source for a description of our experience, to be woven together with all the other descriptions we have encountered.

Without such a reading, we risk falling back into Heidegger's own attitude. We risk becoming philosophical fundamentalists and cultists. Heidegger and Hitler had a lot in common: blood-and-soil rhetoric, anti-Semitism, self-deception, a conviction that philosophy must be taken seriously, and the desire to found a cult. Both men's desires were, alas, gratified. But the proper reaction is not to treat Heidegger as Hitler's philosophical equivalent. It is to read his books as he would not have wished them to be read: in a cool hour, with curiosity, and an open, tolerant mind.

RICHARD RORTY

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THE STRANGE DEATH OF SOCIALISM

Aneurin Bevan and the Mirage of British Socialism by John Campbell

(Norton, 430 pp., $25.95)

Until very recently, major socialist parties in advanced countries believed in replacing private ownership with public ownership; it was one of the central and defining tenets of their socialism. Now they have ceased to believe it, or they are in the process of ceasing to believe it. It is a momentous change.

That change has been accompanied by others. The socialists do not see themselves, with the partial exception of the British Labour Party, as parties exclusively of the working class or even of the left. Many have not been afraid to confront trade union power, even when the unions are their close political allies and bankrollers. They have ceased to see the Soviet Union as any kind of model. Though generally dovish on defense, they are also generally pro-NATO; the unilateralism of the British left is now probably on the way out. All of the major left parties in opposition—British Labour, French socialist, West German social democrat, Italian communist and socialist—have either swung to the right or have remained thoroughly revisionist. And most of those that govern—in Australia, New Zealand, Spain, and even Scandinavia—coexist almost as comfortably with capital as do the parties of the right.

A certain sort of socialism is quiescent, at least. And many believe that socialism of any sort is dead. A recent book by Peter Jenkins, one of Britain's sharpest political commentators, is called *The Thatcher Revolution* and subtitled "The end of the socialist era." (Jenkins was once a socialist; he assisted in the birth of the centrist Social Democratic Party in the early 1980s.) To many men and women on the left, it now seems that the politics that aimed at emancipating the working class from capital by means of the democratic process, and not by means of a revolution, has been abandoned by the working class itself. Or, in a slightly different version, that the working class is no longer a self-conscious political entity, but has become individualized, consumerized, diverted.

Of course, socialism has not been pronounced dead by its adherents. The rhetoric, the slogans, the songs, the political culture, and to an extent the social culture remain. But they are fragmented, weakened, often a little embarrassing to some of the faithful who remain in the church yet are aware of the faltering of its evangelism. Where left parties hold power, socialism has been used in the 1980s not to take more and more sectors of the economy into public ownership, not to usher in an egalitarian society, and not radically to reconstruct the Western alliance (New Zealand's ban on American nuclear-armed warships is an exception).

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It has been used, in the cases of Australia and New Zealand, to open up relatively protected economies, and to bring competition into public and private sector alike. And it has succeeded far too well from the standpoint of the trade unions, which had hoped they would reform in different directions. In the case of Spain, socialism's explicit mission is to modernize the Spanish economy, and to consolidate democratic habits still fragile in parts of its civil and military society. This emphasis on increasing the scope of democracy is repeated, with wide variations, in the recast programs of most European socialist parties.

SOCIALISM, in word and deed, is lying down with capital. While that has been broadly true of the West German SPD ever since its explicitly revisionist (non-Marxist) program was adopted at Bad Godesburg in 1959, it could never be said openly in French, British, Italian, and Spanish left-wing circles before now. Indeed, even the pragmatic Germans were concerned to counter an overzealous analysis according to which Bad Godesburg represented a slide into mere managerialism: Willy Brandt, former chancellor, chairman of the SPD for 30 years and its left-wing conscience, said in 1979 that those who believed that "the Godesburg program implies a 'renunciation of socialism' . . . are badly mistaken."

Were they? Everything depends on nomenclature. It's true that West German social democrats and trade unionists have succeeded in taking parts of manufacturing and extractive industries into public ownership. More significantly, they were at the forefront in creating *mitbestimmung*, or co-determination: a system of workers' representation on the boards of all medium-sized and large companies, with similar arrangements in work councils at the plant level. Perhaps the most impressive element in this social democratic settlement has been its durability. It has lasted through changes of government, from left to right, and it is under no fundamental challenge now. Helmut Kohl not only personally dislikes Margaret Thatcher (there is nothing like the American cult of Thatcher in Western Europe), he also does not intend to emulate her policies.

But the West German experience—which finds parallels in Scandinavia, Austria, and (in a very different way) Italy—is not socialism in action. It is, rather, the development of a remarkably consensual style of governing a mixed

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Gaza

Are its inhabitants being "subjugated" by the Israelis?

If that mythical man from Mars were to appear today, he might believe that Gaza — that tiny strip of land wedged between Israel and Egypt, and home to about 650,000 Palestinian Arabs, is the flash point of the world. There are daily banner headlines in the newspapers and extensive coverage on television newscasts. Howling mobs of teenagers, armed with bricks and Molotov cocktails, confront and defy Israeli security forces. Inevitably, people get hurt and die. The U.S. public is uncomfortable and bewildered.

What are the facts?

■ In 1922, together with the rest of Palestine, Gaza was entrusted to Britain, as a League of Nations mandate, committing them to create a Jewish homeland in Palestine. But they created the Kingdom of Trans-Jordan, to the east of the Jordan River, 77% of the original country. In 1947, the U.N. offered a partition plan for the remainder, to be divided into a Jewish and an Arab state. Gaza was to be part of the Arab state. The Jews agreed to the partition. The Arabs refused. No Jewish state, however minuscule, could be allowed on "sacred Arab soil". On the day that Israel declared its independence in 1948, five Arab armies invaded the new state. The newly founded state of Israel, rather than dying at its birth, defeated the invading armies. Jordan, however, was able to occupy Judea and Samaria (the "West Bank") and the old city of Jerusalem. Egypt occupied Gaza. Their administration lasted for 19 years. It ended with the 1967 Six-Day War, when Israel routed the Egyptians and Jordanians in defensive response to Colonel Nasser and King Hussein's aggressions. During these years, the Palestinians voiced no demand for self-determination. The subject matter, then as now, was not Israel's "occupation", but rather Israel's existence.

■ During the 1948 War of Jewish Liberation, many Arabs fled from their homes to Gaza for what they expected to be a short sojourn. Because, exhorted by their leaders and by blood-curdling broadcasts, they were urged to vacate Palestine so as not to interfere with the invading Arab armies. They would be able to return very soon, to recover their homes and their property — and that of the Jews.

■ Things didn't turn out that way 40 years ago. Gaza became one of the most densely populated spots on earth. The inhabitants could not go to Egypt, nor would any other Arab country admit them. And why not? Because it served the political purposes of the Arab nations to leave these poor people in the pitiful condition in which they find themselves — still refugees, still living in squalid camps with their children and grandchildren, 40 years after their flight. The Arab nations could easily relieve the population pressure and the despair in Gaza by participating in and assisting with the programs of Israel and international organizations for the absorption and economic development of the refugees. They won't do that, and it doesn't look as though they ever will. They wish to keep the wound festering. What is the ultimate goal from which the Arabs have never deviated? It is the dismantling and the "Lebanonization" of the State of Israel.

■ What could the Israelis do to mitigate the situation? Not much more than they are doing now. Under Israeli administration, and under their policy of open borders, Gazans can freely move between the "strip" and Israel, "West Bank", Jordan, and anywhere else that they might be allowed to travel. The political and personal liberties that Gazans enjoy, their standard of living, level of education, social and public health services are incomparably higher than ever before. 60,000 Gazans work in Israel. Apart from the dole of the world, these jobs are the main income of the population — the economy would totally collapse without them. Can Israel "walk away" and relinquish this area? It is impossible, because the PLO would immediately re-establish military bases and make them launching pads for attacks against Israel's main cities, only a few miles away. That's what happened daily under Egyptian administration before 1967.

Gaza is a tragedy — people are in misery and young men are dying. Like all other problems dividing Arabs and Jews, this too could be settled by good will and direct negotiation. The 1978 Camp David Accords provide the framework for such negotiation and for establishment of autonomy for Palestinian Arabs. The PLO totally reject Camp David. Their acceptance would relieve the plight of the Palestinian Arabs and assure their rights, as well as safeguard Israel's security and existence.

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economy in the wake of a national trauma without parallel. The corporatism and centrism of West German politics is seen elsewhere too, not just in Italy, but in that other member of the Axis powers, Japan. You cannot escape the feeling that these countries are still dominated by a fear of allowing "extreme" politics to develop, because of the memory of what happened last time.

If, instead, we take socialism to mean what it did to most socialists after the last war—public ownership, a realignment of international alliances, workers control of industries, greatly increased state spending on public services, all achieved in the teeth of a bitter class struggle with the capitalist class and its representatives in the legislatures—then we can see why, in the latest and very fine biography of Aneurin Bevan, John Campbell lays great stress on the thesis that Bevan died a disappointed man, in the belief that socialism's game was up. "History," Bevan said in 1959, "gave them [the British working class] the chance. They didn't take it. Now it is probably too late." Campbell comments: "He died knowing that the idea for which he had lived had failed utterly to win the adherence of the class it was supposed to benefit."

Aneurin Bevan was the son of a miner, and a miner himself, in Tredegar, South Wales. Elected to Parliament in 1929 at the age of 31, Bevan became, especially during the war, when he offered the only real opposition to the coalition government, the leader of Labour's left wing. Among other disciples, he attracted the future Prime Minister Harold Wilson and the future Labour leader (and his first biographer) Michael Foot, as well as Richard Crossman, Barbara Castle, John Freeman, and Ian Mikardo. He began the weekly newspaper *Tribune* (presently fighting for its rather feeble life) and created, in the "Tribunite" or "Bevanite" group of MPs, a strand of politics that, after at least two transformations, now provides labor with its leadership. He was a compelling speaker, a tremendously imaginative debater, and a charismatic, if rather authoritarian, personality. Campbell is quite certain of his political genius, as is the much more hagiographic Foot. But he is equally certain that the life he so vividly re-creates was, insofar as it was dedicated to the achievement of "real" socialism, a crashing failure. And Campbell rubs salt in the wounds of those who would still call themselves socialists. His claim is no less than this: that the chances of socialism in Britain died even before Bevan did, in 1960.

What was real socialism, in Bevan's view? First, it was red-blooded, angry, and starkly put. He possessed, says Campbell, a "remarkably sustained level of primitive *anger* at the capitalist system and all its consequences in human misery and degradation." The most famous speech of his lifetime—famous, because it was notorious—was made in July 1948, when he was a minister (of health), and when responsibility and respectability should have weighed most upon him. He called the Conservatives "lower than vermin" (and was rebuked by Clement Attlee, prime minister and party leader: "Please be a bit more careful . . ."). By the end of his life, sick and sick-at-heart, he could still, in his last major speech, call capitalism a "vulgar society in which no decent person could be proud."

That anger and impatience were to betray Bevan at times—into support for Oswald Mosley, who later left the Labour Party to become Britain's leading fascist (Bevan stopped well short of even flirting with that); into extravagant hostilities with his own colleagues, from which he was often forced to back down; into threats of resignation from the 1945-50 Cabinets, which infuriated his colleagues and which he finally carried through. But in his insistence that anger was a necessary part of a socialist's equipment, he set a certain style to which those who came after him—especially those who lacked his proletarian upbringing—often did homage by caricature.

SECOND, this anger was continually refreshed by a class dislike. Though, paradoxically, some of his closest friends were firmly in the ranks of the exploiting classes (Beaverbrook, the newspaper magnate, above all) and most of his followers were bourgeois in origin, Bevan always stressed the working class's resentment of those who sat heavily on its shoulders. In some of his most brilliant speeches, made soon after he entered Parliament, during a time of recession and real hardship and hunger in the mining and older industrial areas like his own, he tarred the government again and again (it was for much of that time the Nationalist government, headed by his own one-time leader, Ramsay MacDonald) as a front for bloated owners with iron heels. In a speech in June 1936, he came close to arguing for class war on the streets:

> There is only one way in which Honorable Members opposite can be brought to reason, and that is by trouble outside, because argument in the House has failed to move them. If income tax is under consideration these benches are packed . . . but if it is the poor they are empty. There is only one way in which the poor can make their voices heard and that is by making trouble outside.

The class hatred that Bevan expressed was given theoretical form in the Marxism that was important in his early development. I think it became increasingly formal as he grew older, and more "revisionist," though Campbell believes he remained more or less true to it to the end. Marxism was being taught to bright young miners in the restless period before the First World War. Noah Ablett, the main author of the visionary syndicalist-Marxist program "The Min-

DAYLIGHT SAVINGS TIME

Sunday begins before you do. Blue jays
argue at every branch, divvy the sky,
racketeers in cheap shining suits who cry,
"April, April." You want to sleep through May.
There's pollen in the air and a dead opossum
at the foot of the drive. A wily squirrel shoots
through the gap beneath the eaves and scoots
the rafters—but will he dare to cross
the sea of insulation, pink as an eye?
He dares, he dares. That's his thumping upstairs.
The squirrel weighs fifty pounds. He's found the bait
left for rats. Soon—he'll skip a beat.
To the clock face's poisonous stare
the sleepy head slowly opens one eye.

RODGER KAMENETZ

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ers' Next Step" (which argued for a takeover of the pits by the workers), was Bevan's out-of-working-hours tutor. The young Bevan attended the explicitly Marxist-oriented Central Labour College in London for two years. In one of his early essays, quoted by Campbell, he both accepted the active core of Marxism—that the forthcoming proletarian revolution would destroy property relations and pave the way for a classless society—and entered a caveat that *The Communist Manifesto* would have to be adapted to circumstances different from those that prevailed when it was written: "We should be misunderstanding the spirit of its authors if we attempted for one moment to give its findings the rigidity of a dogma or to make it anything like a touchstone for all time."

YET Campbell is right to characterize Bevan's manifesto *In Place of Fear*, written in the early 1950s, after the exhaustion and then the narrow defeat of the first "real" Labour government following the Second World War, as a wordy mess. Its analysis did not avoid what his Central Labour College essay said it should: a lapse into rigidity. The book did not take any account of what Bevan had spent five years very successfully putting into place: a National Health Service, free for most services (he resigned on the issue of charging for false teeth and spectacles). It did not take account of the rapidly multiplying gradations of class, or of the rising living standards of many workers.

It was left to a revisionist politician-scholar, Anthony Crosland, to lay out the social democratic thesis for the post-war period in *The Future of Socialism*. Though there was never a fully social democratic party to act as a vehicle for the book's generous vision, Campbell is right to say that Crosland's work, not Bevan's, captured much of the party's collective mind over the next two decades. Bevan's own strong belief in public ownership, which flowed from a Marxist position rather than from a technocratic one (the position later adopted by Harold Wilson), waned in later years. And in his lukewarm but effective alliance with Hugh Gaitskell, the most explicitly revisionist of Labour leaders, he accepted with some volcanic eruptions the program of a mixed economy.

But Bevan's most famous apostasy was his explicit endorsement, as shadow foreign secretary, of Britain's development and deployment of nuclear weapons. Campbell relates this episode with great skill. He brings out clearly the confusion in Bevan's utterances—and thus, presumably, in his mind. The confusion lay in a struggle between, on the one hand, his strong anti-Americanism and desire to draw closer to the Soviet Union (though both of these were waning by the 1950s, when he was shadow foreign secretary), and, on the other hand, his populist sense that the British people would never vote for a party that did not aim to possess the most modern weapons possible. That sense was coupled with a great reluctance—shared with a vast spectrum of opinion, left and right—to acknowledge the decline of Britain's world power status.

In this, Bevan was at his most conventional and his most dangerous: his influence stamped on the left a kind of moral imperialism that it still has not wholly lost. As the devastated countries of Western Europe oriented themselves to a new world, Bevan was in the vanguard of those many British politicians who insisted that the old world was still the one they lived in. It was in that framework that the split on the left over nuclear weapons was set. Bevan thought Britain could keep the bomb because it was still a great power; his former disciples thought it should renounce the bomb because, as a great power, it could set a moral example to the rest of the world that could not be ignored.

The Bevan whom Campbell has brought back to life is a huge monument—but a monument in a desert, around which nothing remains. His party was led by a Bevanite in Harold Wilson: Wilson was a technocrat and social reformer, not a socialist. Then, after the brief interregnum from 1976 to 1980 of James Callaghan, Labour was led by Foot, a man more Bevanite than Bevan and under whom its vote sank to just over a quarter of the electorate. Currently led by a second generation Bevanite in Neil Kinnock, himself from Tredegar and from a coal miner's loins, it is now seeking a more explicitly social democratic stance than it has had in its history, including the Gaitskellite period. (Gaitskell was keen on a substantial degree of public ownership.) The working class, which Bevan saw as the main agent of the historical process, is, in Britain as in other advanced democracies, di-

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verse, materialist, and presently as likely to vote right as left.

Britain remains an absurdly class-ridden society. But it is not the domination of owners over workers so much as the clinging by all sectors of society to a wreckage of constitutional and monarchical forms that keeps the society clotted and conservative. The unilateralism that the Bevanites, ignoring Bevan, finally succeeded in making official Labour Party policy in the early 1980s was drubbed in two election defeats, and it is now slowly and mournfully on its way out. Bevan provided his heirs—Wilson, Foot, Kinnock (for a time, but no longer)—with a fund of mawkishness on which they could draw to cover their retreats from the positions that he, at least in his early and middle years, espoused.

Campbell, whose historian's sobriety slips in his epilogue to reveal a contempt for post-Bevan Bevanites, is harsh in the way of an armchair activist. His determination to make Bevan the last socialist depends, in part, on ensuring that no one after him is seen as other than an opportunist. He goes further: he sees in contemporary British politics, and in its treatment by a raucous tabloid press—and even by the "serious" press—an abdication of democracy, believing, with Bevan, that it depends on "the serious discussion by an informed electorate of opposed philosophies and a real choice between rival visions of the future." Thus he implicitly equates the death of Bevan not just with the death of socialism, but with the exhaustion of an informed democracy.

I do not share his pessimism, though I agree that the Labour Party has been extraordinarily uninterested, over the past two decades, in promulgating a view of democratic socialism that could act as a bulwark against both the intellectual and political depredations of the new right, led by Thatcher, and the forceful advance of the new left, led by Tony Benn. That is a great deal to explain and live down, but it's hardly the result of a conspiracy against democracy on the part of the right-wing, semi-pornographic tabloid press and trivializing television. The signs of political decline are hardly as dire as Campbell believes.

In fact British politics has been exceptionally fertile and intellectually interesting over the past decade, stimulated, it must be said, by the head-on attack mounted by the Conservative right. Of course, some of the debate that should have been engendered has not taken place. But what debate has occurred has been quite un-British in its seriousness and its depth. In the emergence and continuing travails of the Alliance parties (liberals and Social Democrats), the left is confronted by a threat within its own camp that has forced it—and continues to force it—to define itself as a democratic socialist party in a way it has not cared to do since the Bevanite quarrels of the 1950s.

What will emerge? Few serious bets are on yet. Labour's current leadership is intent on fashioning a party in the basic European social democratic mold—a party that at least implicitly adopts much of the market rhetoric and practice of Thatcher's government, but tempers them with a program that stresses the need to extend real economic citizenship to a growing underclass, and to invest much more in Britain's still shaky industrial and technical infrastructure. The Alliance parties are not after anything essentially dissimilar. But while party and personal animosities keep them apart, and while Britain's archaic first-past-the-post electoral system makes coalition building after an election impossible, the country is likely to continue experiencing the radical effects of a confident right-wing party and its energetic leader. The Bevan we meet in Campbell's pages would have been a magnificent parliamentary opponent of that. But it is doubtful that he would have found a formula for replacing it any more quickly or easily than his descendants have.

JOHN LLOYD

John Lloyd is a writer for the *Financial Times* of London and former editor of the *New Statesman*.

THE BATTLE OF BELIEFS

Galileo: Heretic
by Pietro Redondi

(Princeton University Press, 356 pp., $29.95)

Theology and the Scientific Imagination from the Middle Ages to the Seventeenth Century
by Amos Funkenstein

(Princeton University Press, 421 pp., $47.50)

In 1633 Galileo Galilei was publicly humiliated because of his work as a scientist. In his *Dialogue on the Two Chief World Systems*, published in the previous year, he had argued with clarity and wit that the sun, not the Earth, was the center of the cosmos. Far from being at rest, the Earth rotated on its own axis, and it revolved, like the other planets, around the sun. Galileo made these hazardous claims in the teeth of biblical passages that clearly described a stable, central Earth; of the wise advice of Cardinal Roberto Bellarmine that since he possessed no proof of the Earth's motion, he should teach it only as a hypothesis; and of a decree of the Holy Office in 1616 that the heliocentric theory was "foolish and absurd in philosophy and a formal heresy." Under the threat of torture, Galileo recanted his views. Condemned to lifelong house arrest, he made no public protest, but he continued his great act of subversion by writing his most original scientific work, *Discourses on Two New Sciences*.

This story has long seemed to crystallize, in a single tragic confrontation, the difficult relations of science and theology. Eighteenth-century philosophes and 19th-century liberals revered Galileo as the pre-eminent martyr in modern Western intellectual history, the greatest scientist ever to fall victim to priestcraft and intolerance. His story forms a central episode, for example, in that massive product of American progressive thought, Andrew Dickson White's *History of the Warfare of Science with Theology in Christendom* (1896). His condemnation has been a lasting embarrassment to the Church, and vivid proof of the view of White and many others that "such are the consequences of placing the instruc-

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tion of men's minds in the hands of those mainly absorbed in saving men's souls."

In recent decades, the history of science has been transformed from a battleground where orthodox and modernist polemicists raged to a field where professional scholars dig. Departments and programs teach history of science to large numbers of undergraduates. Journals and books reconstruct the achievements of individual scientists and the social and intellectual settings of their work. Especially large and contentious bodies of literature have formed around such natural irritants as the case of Galileo and the larger questions it raises. But the new scholarship—as new scholarship should—has created as much confusion as clarification.

The study of theological traditions and scientific advances has shown that the two were by no means always in conflict. In the Middle Ages, scholars have argued, the study of the natural world represented not an attack on theology but a subsection of it, carried on with the same methods that produced authoritative doctrine about the Bible, the sacraments, and God. They have argued that some apparent attacks by theology on science (like the famous condemnation of Aristotle decreed by Etienne Tempier in 1277) may actually have liberated philosophers' minds from the crushing weight of tradition. They have argued that some of the greatest theologians of early modern times, from Bellarmine to Calvin, felt real sympathy for scientific inquiry and allowed it considerable (if strictly limited) freedom. And they have shown that many of the most innovative early modern scientists, notably Kepler and Newton, were themselves actively committed to the study of theology and saw their scientific work as serving a divine purpose.

THE HISTORY of science, in short, has undergone a curious religious revival. Two recent books confirm the vigor of this tendency in research, the diversity of the places where it has taken root, and the interest of the fruits it has produced. Both have stimulated much argument already and should stimulate much more. Amos Funkenstein, a historian of medieval thought, writes in a rabbinical mode, commenting on commentators. His text evokes books rather than individuals; it reconstructs, with patience and with learning, the positions of philosophers and the glosses of exegetes. Notes in several languages rise halfway up each page. The book is definitely for the specialist.

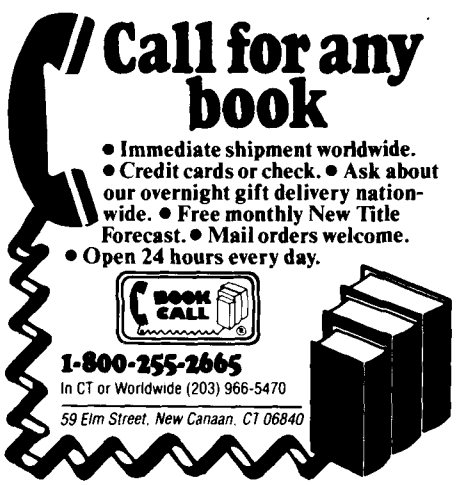
By contrast, Pietro Redondi, an Italian historian of science trained in Paris, has written a modernist detective novel about the past. He offers brilliant surmises and guesses as well as new documents, as he searches for cracks in the official version of Galileo's downfall through which he can glimpse truths long concealed and suppressed. Like any good novelist, Redondi concentrates on people rather than texts, and he has a remarkably keen eye for the colors of the past. He evokes the black of the pitch that covered the coffin of Marco Antonio de Dominis at his posthumous trial for heresy, the brilliant costumes of the ecclesiastics who attended the public ceremonies of Counter-Reformation Rome, the glow of the strange stones that stimulated Galileo to dream of atoms. Redondi's book falls between the learned and the popular. It uses a lively and personal style that shines through much (though not all) of his translator's English, and it is splendidly adorned with color plates. In Italy it was a best seller.

FOR ALL their differences in style and substance, however, these books converge in vital ways. Both suggest that the intellectual revolution of the 17th century was not a "dissociation of sensibilities," but a joining of them; that it involved efforts not to reject theology, but to create a theology that promoted and protected some of the new results of the natural philosophers. Both suggest that some of the heroes of the new philosophy were themselves preoccupied with theological problems. And both prove that the zealous desire of contemporary scholars to set past science into its living religious context is an international, not just an American, phenomenon.

Funkenstein ranges the centuries and cultures in his effort to work out how it was possible to rethink the natural world as Galileo and Kepler did. Intellectuals in the 17th century, carefully trained from childhood to conform, carried out a series of wildly subversive conceptual acts. They abandoned the traditional assumption of a finite cosmos, a separation between the messy, changeable world below the sphere of the moon and the orderly, unchanging one above it; and they abandoned the notion that the Bible gave a true and perfect description of nature. They put the sun in the center of the planetary spheres, gave physics quantitative laws, developed new forms of experimental inquiry, and made the book of nature take the place once held by the books of the Bible and Aristotle as the most powerful source of knowledge about life, the universe, and everything.

Funkenstein argues that as early modern intellectuals made their great ascent out of the narrow comfort of the old orderly cosmos, they did not leave all their cultural baggage in the foothills. On the contrary, they found powerful help in the imaginative speculations of earlier theologians and philosophers. Medieval ruminations on the immensity of God and Renaissance speculations on the nature of matter and force stimulated the first modern scientists to contemplate the possible infinity and homogeneity of space. Medieval thought experiments about change of state (in the sacraments, for example) offered a partial precedent for Galileo's thought experiments about the motion of falling bodies.

Moreover, a brilliant series of biblical exegetes (including the fathers of the Church and Maimonides) removed the heaviest of all theological impediments to scientific thought by arguing that the early men God addressed in the Old Testament had understood nature in a primitive way. According to certain medieval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exegetes, God had "accommodated" his own language about the heavens and the Earth in Genesis and elsewhere to the cultural level of his audience. The Old Testament was not a literal description of the cosmos as it really was, but a document limited by its origin, context, and readership; even the sacrifices it enjoined on the Jews were, in Maimonides' view, designed to suit specific historical circumstances. Accordingly, it need not bind its later readers on points of physics and astronomy. This way of explicating the Bible, as Funkenstein shows in his most impressive chapter, implied a sophisticated notion of cultural change in history, a realization that ideas, assumptions, methods of proof, and language itself develop over time.

Calvin and Galileo used exactly this set of tools to file away the contradictions between Scripture and science. And even Vico, that pioneering theorist of cultural history, drew on this rich secular tradition when he constructed his *New Science* early in the 18th century. The rabbis and the scholastics, in other words, carried out an impressive *praeparatio theologica* for the revelations that would eventually relegate theology to the intellectual sidelines.

REDONDI ARGUES, more contentiously still, that the silencing of Galileo in 1633—that archetypal confrontation of science with theology—was really the result of a theological debate. Galileo's atomist views of matter, which came under attack in Rome during the 1610s (as a document discovered and published by Redondi shows) and could no longer be tolerated in Rome when Spanish influence became preeminent in the early 1630s, subverted authoritative doctrine about the sacraments. The attack on Copernicanism, the conflict between new philosophy and old theology, was really a masked attack on a deviant position in theology itself. If, by Redondi's account, the *arcana* of theology matter more than most of us would expect, astronomy seems to matter less; he argues that even Galileo's allies in the famous Roman scientific society, the Lincei, were not very interested in the stars (though they were fascinated by the structure of matter on Earth).

Both books offer alluring journeys. Funkenstein takes the reader from basement to attic of a vast imaginary library, stopping to dust off and display classical views on the cosmos, scholastic views on the nature of God, and—most arresting of all, and presented in the greatest detail—the rich and complex ideas of medieval Jews on the interpretation of the Bible. Redondi pulls the reader through the basements and backrooms of a cavernous underworld in the style of Piranesi, following implicit and sometimes mysterious clues, reading for veiled oppositions and hidden threats. Like a historical George Smiley, he wanders down what seem innumerable detours, but always comes back to the single mystery at the heart of the labyrinth: the unknown "secret of religion and state" that, according to Galileo's embarrassingly radical sympathizer Tommaso Campanella, forced the previously sympathetic Barberini Pope Urban VIII to condemn and humiliate the great scientist.

THE JOURNEY, not the arrival, matters. For in the end, though these two important books sustain the reader's interest and respect, their conclusions seem unconvincing. Funkenstein, for all his learning and energy, never convincingly makes his case for an integral connection between the textual debates he reconstructs and the New Science that sprang (as he carefully emphasizes) from other roots as well. The new beliefs that apparently irregular and insignificant changes and quantities could be measured, that something so evanescent as air could be weighed, that the quantitative laws that rule the heavens might apply on Earth—all these have no obvious place in Funkenstein's history.

Sometimes, too, one feels that Funkenstein's affection for his exegetes leads him to read too much historical and philosophical insight into their glosses. Maimonides' writings certainly include startling, if scattered, insights into the nature of social and cultural development. But in his lucid and proficient work on the astronomical basis of the Jewish calendar, he tried to show that the complex luni-solar calendar of his day could be found in the laws of Moses, rule by rule and detail by detail—an effort that suggests that his historical insight was limited and undeveloped, as one would expect. True, Funkenstein makes constant qualifications to his own claims; but still his story seems too simple to match the rich evidence he assembles.

Where Funkenstein provokes doubts even in sympathetic readers, Redondi has attracted showers of brickbats. Passions always run high among Italian historians, and the subject of Galileo makes them run higher. Traditional Catholic historians, who carry on the ancient ways of Eusebius and Cesare Baronio, prize their encyclopedic command of manuscript and printed sources, look down on most outsiders, and feel a special sensitivity about the records of the Inquisition. More up-to-date historians of religious dissent and repression, who often trace their intellectual genealogy back to one of Redondi's modern heroes, the great Marxist historian Delio Cantimori, see the Renaissance pioneers of modern critical scholarship and science as their own more distant ancestors. They deplore the condemnation of Galileo as one of the most striking symptoms of that debilitating disease that overcame Italy in the 17th century, when Spanish political hegemony and ecclesiastical authority gradually cut it off from so many of the great cultural advances taking place in the north. Neither side was predisposed to accept Redondi's revised portrait of Galileo. Neither has any liking for the detailed, dramatic case-study genre of *microstoria* that he practices, in conscious emulation of another brilliant rebel, Carlo Ginzburg. Both have energetically tried—as he has complained—to "anathematize" him and his book.

ON THE WHOLE, it does seem very hard to believe Redondi's central contention. Many letters from Galileo's supporters—like Campanella, whose views Redondi uses in a somewhat arbitrary way—confirm that "the mystery" that scandalized the authorities in Galileo's *Dialogue* was his clear defense of the heliocentric system that he had been forbidden to teach, and his provocative assertion that the mathematician, not the theologian, must give the final decrees about nature. But one can disagree with Redondi's solution of his mystery without denying the great literary and intellectual value of his work.

Moreover, even if he does not win assent on all particulars, Redondi may be right in principle to emphasize the deviousness, the deliberate allusiveness, and the forced mendacity of so much discourse in a censored culture like that of Baroque Italy. Giorgio Spini, a distinguished historian of early modern Italian religion (and many other things), once characterized the religion and politics of Galileo's time with a story from Mussolini's Italy. A man decides to kill himself. He runs out into the street as a Fascist parade goes by, banners high and drums

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beating, and cries out "Down with Mussolini!" several times. Nothing happens. Finally a leader detaches himself from the parade, comes over to the would-be suicide, and whispers, "Be careful. The man at the end of the fifth row really *is* a Fascist, and you might get in trouble." In a climate of repression, words and symbols change meanings with a speed and plasticity that the literal-minded modern historian can easily miss. Redondi's deconstructionist Baroque world of signals, rumors, and inverted meanings is one that every constructive historian of the period must now confront.

Both Redondi and Funkenstein raise a vital question, finally, about the history of science itself—a question of identity. The history of science must deal with religion as it has shaped or altered intellectuals' approaches to nature. But if it is to have its separate place as a discipline, it surely must not replace the study of science with the study of religion. Both of these books seem at times to portend or to threaten precisely such a transformation. Neither reveals much direct contact with the strictly scientific work of those it discusses—a lack especially surprising in the case of Redondi, who has done exemplary technical studies of the French physicist Sadi Carnot and others.

These writers clearly know a great deal about the technical content and presentation of premodern science. But both end up writing about its status and its context without using their technical knowledge. And both ultimately fail to convince, precisely because they do not connect their rich material and powerful arguments with the substance of premodern science. To take only one example, but a revealing one, neither shows much sign of direct acquaintance with the ground-breaking astronomical work of Copernicus. Redondi traces Galileo's interest in atoms back to his supposed encounter with the one passage of Copernicus's great book, *De revolutionibus orbium coelestium*, that mentions atoms. In fact, though this passage forms part of the extant holograph of the work, it was omitted (we do not know why) from the first printed edition of 1543, and from all later ones until the 19th century. In other words, Galileo never saw it, as Redondi would have known had he used a critical edition of the text, or a reprint of the first edition.

No account of theology and the scientific imagination—much less an account of the trial of Galileo—will carry conviction if it does not confront head-on the polemical analysis of the two world systems that made Galileo problematic in his own time. Galileo seemed dangerous because he argued for a theologically and politically subversive cosmology in a philosophically subversive way. His science threatened religious orthodoxy (though not, of course, his own profound and individual religiosity) at a time when political pressures for conformity already ran high. To say this is not to deny the fundamental importance of theology, but to insist that theology is not—was not—science. It was only a permissive or inhibiting factor in the development of science.

"Am I a theologian?" asks Brecht's Galileo. He answers his own question unequivocally: "I am a mathematician." Brecht's Galileo is a creation of the imagination, of course. But when he proclaims his identity, he comes closer to the historical source than some scholarly reconstructions do.

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CORRESPONDENCE, *from page 6*

Voznesensky's creative output. One should be able to discuss them leaving aside attendant circumstances, e.g., attacks on Voznesensky by the right-wing Soviet press, which I despise profoundly.

Yes, I prefer Czeslaw Milosz's poetry on the Holocaust to Voznesensky's poetry on the same subject. Ms. Blake appears to be rather selective in her interpretations of the word "discreet." Webster's defines "discreet" as "having or showing discernment or good judgment in conduct esp. in speech," as well as "unpretentious." Voznesensky's poems on the most tragic topic of our or any century are, in my opinion, tawdry, pretentious and melodramatic. That leads to their artistic failure.

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TRB, *from page 4*

tives, which forbids the use of evidence obtained in or derived from an illegal search. Valuable evidence is banned, for reasons having nothing to do with guilt or innocence, and the guilty sometimes get off. Will conservatives retain their indignation if this happens to the Iranamok Four?

Ollie North is threatening to subpoena the president and vice president as witnesses in his defense. (He feels so sad about this that he has quit his beloved Marine Corps to go on the lecture circuit.) Part of the idea is to create pressure for a pardon. But part of the idea is that if Reagan and Bush successfully assert executive privilege, North's lawyers will be able to argue that he has been denied vital information for defending himself. Maybe this will work. But it won't make him innocent.

Another way the guilty sometimes get off is through simple prosecutorial ineptitude. Ineptitude is the kindest interpretation of the way Meese gave North and Poindexter time to destroy vast amounts of evidence after they knew the Justice Department was on to them. Charged with obstruction of justice, the defendants are going to argue that they weren't officially under investigation at the time. We'll never know what was in all those documents, but citizens are entitled to make the obvious inference a court cannot: that you don't have a shredding party if you've got nothing to hide.

Besides all the special advantages of their particular case, the Iranamok defendants will enjoy all the usual lean-over-backward protections of American justice. For example, the requirement of proof beyond a reasonable doubt, and the built-in wild card of a jury that must convict unanimously.

Now don't get me wrong. The Iranamok defendants, and the attorney general as well if it comes to that, are entitled to a trial every bit as unfair as they can afford. That's the American way. What they are not entitled to is a "Get Out of Jail Free" card in the minds of their fellow citizens. We've got the evidence—including evidence the jury will never get—and neither law nor logic says we can't convict.

Meanwhile, this newfound conservative passion for the rights of criminals could lead down all sorts of promising avenues of social progress. If we're lucky, the Reaganites may have the opportunity to take up prison reform next. □

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WASHINGTON DIARIST

Predictions

HAVING SWITCHED OVER, in my ever-changing journalistic career, from the business racket to the politics racket, I have found the two have something in common: lousy predictions. The panelists on the McLaughlin Group are as far off base as political pundits as Alan Greenspan or Henry Kaufman have been as economic forecasters. The fact that no one can tell the future doesn't stop all sorts of experts from trying. What has always amazed me about the predictions of experts in both business and politics is that they're worse than the laws of chance seem to allow. I mean, with two Republican candidates having a chance to win in New Hampshire and six pickers on McLaughlin, you would expect three of them to get the right answer. But no. What's wrong? My theory is that most experts make choices based on the evidence closest at hand; that way they aren't embarrassed. In other words, if it rained yesterday, most of them will predict it will rain today. Or if Dole won in Iowa, they'll say he'll win in New Hampshire. Or if inflation was three percent last year, it will be three percent this year. In fact, given a random event (and we're assuming, properly, that the weather, politics, and economics work pretty randomly), the odds are 50-50 that one of two things will happen. But all the experts, interpreting the most recent event as part of a trend, rush to one side, when in fact they should be distributed evenly.

THE PROBLEM WITH all of these experts is that, although they know the first rule of the prediction game (Predict with Conviction—a tenet held especially firmly on Wall Street), they don't understand the second (Say Something Wild). If you say the obvious and you're right, then big deal. But if you go out on a limb and you're right, you're celebrated as a genius. (And if you're wrong, no one remembers.) David Broder made his reputation by predicting that Governor Spiro Agnew would be Richard Nixon's choice for vice president. But, as far as I know, not a single political expert predicted last year that Gary Hart would get back into the presidential race (William Safire tells us he *almost* did, and he's been kicking himself ever since). How many, back in November and December, thought that Gephardt would finish better than third in Iowa? How many predicted a 500-point drop in the stock market? Dumb, all of them. Not dumb because they didn't know. Who could *possibly* know? No, the experts were dumb because they didn't take a wild stab. I myself have made some pretty exciting political predictions recently. A year ago, at a NEW REPUBLIC editorial meeting, I predicted that Ronald Reagan would run for a third term and win (I still think that if the ridiculous 22nd Amendment, passed by vengeful Republicans now hoist with their own petard, were repealed Reagan could win this time around). When it became clear that a third term wasn't in the cards, I predicted that Nancy would run. More recently, I predicted that Jesse Jackson would win New Hampshire. Wrong, wrong, wrong. But, if I had been right, just think of the fame, the riches . . .

HERE'S ONE PREDICTION I'll make with absolute certainty: At least 90 percent of the members of the House of Representatives will be re-elected this year. Actually, the number will probably be closer to 95 percent, but I want to be safe. The congressional newspaper that I run recently looked at all 435 House races and concluded that in only 96 of them was there any contest at all, meaning that in 78 percent of the races the incumbent either is unopposed or faces token opposition. Consider Texas, which held its primaries on Super Tuesday. There are 27 districts, and an incumbent is running for re-election in 26 of them. In only one of these districts did anyone oppose an incumbent in the primary (Elizabeth Spates got 17 percent of the vote against Representative Mickey Leland). And in November only one incumbent (Representative Mac Sweeney) will have a race that he could possibly lose. Representative Charlie Wilson, the guy who's gotten into a lot of trouble in the national press because of various antics involving Miss USA World, is a typical case: he was unopposed in the Super Tuesday primary and has no Republican opponent in November. There are lots of reasons for this phenomenon, but the most important ones are that (1) over the years, members of Congress build up huge campaign war chests that deter challengers, and (2) they tend to do what their constituents want them to do, which puts the lie to the inside-the-Beltway, outside-the-Beltway dichotomy you hear so much about.

ANOTHER PREDICTION: being old is going to be the cool thing to be. This is an easy prediction, of the congressional sort above rather than of the third-term-for-Reagan sort. The reason, of course, is that the cutting edge of the baby boom generation has just turned 40, and what baby boomers have done all their lives has been cool, terrific, the best ever, or the first ever. You remember a few years ago, when baby boomers decided to have children? No one had ever thought that before. Anyway, there is a new magazine out called *Lear's*, named for its founder and editor in chief, Frances Lear, former wife of Norman, the TV producer and scourge of right wing (and a guy who is in the magazine biz himself). The idea of this magazine, as the deeply wrinkled woman on the cover makes clear and as countless articles pound into any reader slow on the uptake, is that it's for women over 40, who are, Lear tells us, "today's sanest, more creative, most *interesting* Americans." She gets a little carried away with her arithmetic when she says that "in 1987 there were three women over 40 for every two in 1986"—a 50 percent increase in one year! But, anyway, it's a big market. Elsewhere in the magazine, we find the editor in chief herself being interviewed by Barbara Howar and saying: "I have money. I have freedom to create. I have my kids, whom I love. I have friends. I'm just fine now." My prediction is that this magazine will be a brilliant success, not because its theme is "old is beautiful" (looking at old people dressed up as models is fairly grotesque), but because its real theme is "I am beautiful," which, after all, is what the baby boom is all about: solipsism.

NOW, for what you've all been waiting for—my final predictions. The Dow Jones average will hit 4000 this year; Dukakis will pick Oprah Winfrey as his running mate; Jackie Collins will win the Nobel Prize; and the Chicago Cubs will win the World Series with George Will pitching the seventh game. Hey, if I'm wrong, forget the whole thing. But if I'm right . . .

JAMES K. GLASSMAN

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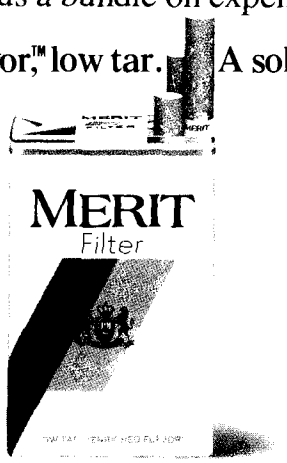

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